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THE CHANGING RÔLE OF THE U. S. CIVIL SERVICE COMMISSION

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In any appraisal of our national government and its ability to shoulder postwar domestic burdens, the rôle of the U. S. Civil Service Commission deserves scrutiny. "Good personnel administration is good public administration," Herbert Emmerich argues conclusively,[1] and the influence which the Civil Service Commission exerts throughout the entire field of federal personnel administration has reached a peak during the past few years never before approached. In what directions and with what success has this influence been wielded? To what extent have the wartime developments pointed the way to permanent gains? What is the probable rôle, what the desirable one, of the Commission in the next few years? These seem to me to be questions upon which we need all the informed points of view we can marshal.

I. THE DEVELOPING CONCEPT OF A CENTRAL PERSONNEL AGENCY

For many years, the Civil Service Commission operated primarily as a central examining agency. Along with the majority of commissions at the state and local level, its paramount job was considered that of substituting a competitive merit system for the spoils system in original appointments. Few persons were startled when additional service-wide personnel responsibilities were assigned from time to time to other units of the government. Thus, as late as 1932 position classification, efficiency ratings, and retirement were separately administered. Other major areas—such as promotion, transfer, training, health and safety, working condi-

[1] Herbert Emmerich, "Good Personnel Administration Is Good Public Administration," *Public Personnel Review*, Vol. 6, no. 1, pp. 1–8 (Jan., 1945).

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tions, employee relations, personnel procedures—were subject to little or no central direction or influence.

This situation, however, did not go unchallenged. In one of the most careful and constructive appraisals ever made of federal personnel work, Herman Feldman pointed out in 1931 that "the major defect is that responsibility exists nowhere for many functions which any private organization one-twentieth the size of the Federal force would have long found it imperative to delegate to responsible officials."[2] He went on to add:

> "If the purpose of the present survey is to speed the progress of Federal personnel administration, no recommendation is more important than that of establishing a central personnel authority exercising initiative in all matters affecting the Federal employees. Its responsibility should be to keep in constant touch with most of the conditions affecting the Federal service, to be ready at any time to advise the President or Congress with regard to matters of wages, hours, leaves, working conditions, incentives, causes of turnover, grievances, and similar matters, and to serve as a stimulus to administrators generally in the improvement of employment conditions."[3]

Feldman made no recommendation as to the proper location of such a central personnel agency in the governmental structure. He found advocates of (1) a separate office in the Bureau of the Budget, (2) an enlarged and strengthened Civil Service Commission, and (3) an expanded Personnel Classification Board.

In its 1931 report, the Commission itself entered the discussion with a recommendation for combining "in one administrative body all Federal agencies which have to do with personnel in the civil service."[4] This point of view made substantial progress with the transfer of the central activities in position-classification, efficiency ratings, and retirement administration to the Commission in 1932, 1933, and 1934, respectively. While these moves gave the Commission three more statutory programs to administer, they left it still quite a bit short of the goal of a "central personnel agency." They notably extended the Commission's regulatory and control authority and its contacts with operating agencies. They

[2] Herman Feldman, *A Personnel Program for the Federal Service* (Washington, U. S. Government Printing Office, 1931), p. 114.

[3] *Ibid.*, p. 244.

[4] *48th Annual Report of the U. S. Civil Service Commission* (Washington, 1931), p. 41.

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left untouched a wide area of non-regulatory or service functions, for which the Commission generally assumed no obligation.

The argument has frequently been advanced that a civil service commission having the responsibility for exercising controls and restrictive authority over certain phases of personnel work is not the proper agency for giving central leadership and assistance in the positive, or educational, aspects of managing employees. As early as 1922, Lewis Mayers distinguished "promotive or assisting" functions on the one hand from regulatory functions on the other, and concluded that the two should not be combined in a single agency.[5] Similarly, Lewis Meriam stated in 1937 that "the Commission was wise in staying out of the operating field and not attempting to mix control, management, and promotion. Such a mixture would lead only to hopeless confusion and inefficiency."[6] Even Reeves and David, in their influential report for the President's Committee on Administrative Management, threw a nod in the direction of this point of view. When citing what they considered one of the three major obstacles to the Commission's development as a satisfactory central personnel agency, they pointed to its many activities of a restrictive or policing type, and went on to add:

"Many friends of the Commission therefore feel that the more constructive types of personnel activity cannot be carried on effectively by an agency which necessarily must give so much attention to the enforcement of restrictive statutes. Regulatory activities such as those of the Commission are said to prevent the development of the attitudes of friendly coöperation that are necessary for other types of central personnel activity."[7]

It would seem to me a serious mistake to attempt to limit one central personnel agency to restrictive or regulatory activities, and either set up a separate body for steady promotion and improvement of progressive practices throughout the service (as

[5] Lewis Mayers, *The Federal Service* (New York, D. Appleton and Co., 1922), p. 538 f. Curiously, Mayers considered recruiting and examining work as a "promotive and assisting" function, whereas today the Commission's authority to control the certification of eligibles and to limit appointments to one of the top three is generally regarded as one of its major restrictive or regulatory responsibilities.

[6] Lewis Meriam, *Personnel Administration in the Federal Government* (Washington, Brookings Institution, 1937), p. 59.

[7] Floyd W. Reeves and Paul T. David, *Personnel Administration in the Federal Service* (Washington, U. S. Government Printing Office, 1937), p. 26.

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proposed by Meriam[8]), or depend entirely on the individual operating agencies in this regard. In the first place, the line between control and promotion is almost impossible to draw. Compliance with the provisions of the Classification Act requires some central oversight and direction; far more significantly, it requires widespread understanding, and technical competence, within each department. The former is regulatory, the latter a matter of education; yet they are inextricably complementary. Similarly, the provision of a uniform efficiency rating program requires general regulations, yet depends far more for its successful operation upon the understanding and support of administrators and supervisors. The same is true of leave administration, reductions-in-force, recruitment and selection, and in fact every phase of personnel management in which public policy warrants general regulations embodying some element of restriction on the administrator's discretion. Furthermore, these control areas are intimately related to the phases of personnel work over which no central control exists.

In the second place, if it *were* possible to limit a central agency to the areas of regulation and control, the effect on both the regulators and the regulated would be disastrous. Both the quality of the regulations and the degree of real compliance could but suffer. The friction and lack of mutual understanding, some of which is inevitable in any central control function, would burgeon.

No, the combination of control and service is a prerequisite for the successful functioning of a central personnel agency. When the latter helps an operating agency meet its internal classification problems—that is, renders a voluntary service which is constructive and appreciated—three important things happen. A friendly personal basis for future relations is strengthened. The central agency gains in knowledge and appreciation of operating problems which should enlighten the formulation and administration of classification controls. The departmental officials have a further chance to clarify their understanding and appreciation of the desirable aspects of the general controls, and are more likely to exert their influence toward agency compliance. In its larger aspects, the concept of service is contagious, and helps continually to remind the central agency that its only *raison d'être* is the facilitation of the public activities of the line departments. That

[8] Lewis Meriam, *op. cit.*, p. 61.

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this reminder is constantly needed by an organization exercising restrictions and controls, is, I believe, indisputable. The alternative of leaving individual operating agencies entirely without central assistance in the non-regulatory phases of personnel management is simply to overlook tremendous possibilities for the improvement of government at small cost to the taxpayer.

Fundamentally, Reeves and David assumed the need for a single organization with broad responsibilities in both control and assistance, and measured the Commission against this yardstick. They concluded that "although the Commission is now performing many of the functions of a central personnel agency in a partially satisfactory manner," there were other "appropriate and needed functions" which that agency had "not developed and is not carrying on."[9] Areas singled out for comment as undeveloped were: transfers; promotions; central information on agency practices, with support for constructive measures and stimulation of improvements; training; responsible management-employee negotiations; interchange of personnel officials between the Commission and operating agencies.[10]

These two observers argued that a "satisfactory central personnel agency would occupy a position exceedingly close to the Executive," and that the Civil Service Commission would never measure up as currently organized. In its stead they proposed a new agency headed by a single administrator reporting directly to the President, and combining a wide variety of control and service activities.

When Congress vetoed this proposal of a single personnel administrator as relayed through President Roosevelt, the Civil Service Commission remained, at least for the time being, the federal government's hope for an enterprising central personnel agency.[11]

While it remained for the war emergency to spotlight this chal-

[9] Reeves and David, *op. cit.*, pp. 25, 39.

[10] *Ibid.*, p. 25.

[11] In giving the President broad powers to reorganize the executive branch (Reorganization Act of 1939, Public Law No. 19, 76th Cong., 1st Sess.), Congress expressly included the Commission among those agencies which were not to be disturbed. Today, by virtue of the recent Reorganization Act (Public Law No. 263, 79th Cong., 1st Sess.), President Truman has ample authority to include the Commission's activities in any organization shuffle; Congress, however, would have sixty days to consider a veto.

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lenge, the developments of 1938 to 1941 must be recalled. June 24, 1938, was a red letter day. In two executive orders, President Roosevelt (1) thoroughly revised and modernized the Civil Service Rules, (2) extended the competitive merit system about as far as could be done without congressional action, (3) required the establishment of a division of personnel supervision and management in each department and agency, (4) revitalized the Council of Personnel Administration, with membership consisting of personnel directors and representatives of the Bureau of the Budget and Civil Service Commission, and (5) gave support to in-service training, fixing responsibility in the Civil Service Commission for coöperating with the departments in this area.[12]

Both the content of these executive orders and the active rôle played by the Commission in their drafting broadened the influence and enhanced the stature of that agency. Creation of agency personnel divisions and an active Council of Personnel Administration provided machinery for Commission leadership in every phase of personnel management; the question remained—would it be utilized?

On September 8, 1939, another brick was laid. Executive Order No. 8248 established the Liaison Office for Personnel Management within the White House Staff, and thus signified the President's interest, and desire to extend his influence, in personnel matters of major service-wide importance. With direct access to the President, regular meetings with Civil Service Commissioners, and close relations with the Bureau of the Budget and other Executive Office arms, the Liaison Officer has dredged the channel of communication and influence in so far as the human side of personnel management is concerned. "This means has given the Civil Service Commission a new status in the government. . . ."[13] The threshold of the war thus found the Commission with great potential influence, but with many tests to be met in its relations with Congress, the President, and the line departments and agencies.

II. THE CIVIL SERVICE COMMISSION AND CONGRESS

The influence of Congress on the quality of personnel management throughout the federal service is hard to over-estimate. This

[12] Executive Orders 7915 and 7916.

[13] William H. McReynolds, "The Liaison Office for Personnel Management," *Public Administration Review*, Vol. 1, No. 2, p. 126 (Winter, 1941).

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influence is now direct, now indirect, now formal, now informal, now enlightened, now pernicious—above all complex, inconsistent, and essential.[14] Most obvious is the body of legislation which gives personnel administration its statutory base. What Feldman said in 1931 is still, sadly enough, all too true: "On the congressional side, legislation applying to the Federal service is a patchwork with many large holes."[15]

The Civil Service Commission has always had an interest in legislation affecting the merit system, and its annual reports have regularly recommended action by the President and Congress in this sphere. Like Old Golds, however, something new has been added in recent years: first, a broadened interest going far beyond the "traditional civil service" activities; second, the initiative necessary for cultivating congressional confidence and bringing recommendations to the active consideration of the Congressional civil service committees; and third, the establishment of machinery for tapping the views and support of the organized unions of federal civilian employees.

The Commission's annual report for 1943, the first full report for several years, will serve to indicate the area of enlarged interest. Legislation was recommended on over twenty subjects. While quite a bit of this pertained to revisionary amendments to the acts covering employment, classification, compensation, and retirement, other proposals were advanced along the following lines: (1) to give statutory recognition to the position of departmental director of personnel, and authorize the Commission to delegate to him additional authority; (2) to give general statutory support to in-service training; (3) to give general statutory support to maintenance of health and medical programs for federal employees; (4) to provide unemployment compensation or severance pay for employees released at the end of the emergency; (5) to include separated government employees in any program providing government-financed training for former war workers; (6) to liberalize periodic and meritorious within-grade salary advancements; and (7) to permit lump-sum payment of accrued annual leave.

The annual report for 1944 consisted largely of legislative proposals, with quite a few repeated from the previous year. High-

[14] On this subject, see Leonard White, "Congress and the Civil Service," *Public Personnel Review*, Vol. 5, No. 2, pp. 65–69 (Apr., 1944).

[15] Herman Feldman, *op. cit.*, p. 8.

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lighting the additional suggestions were (1) thoroughgoing pay legislation to remove inequities, revise scales upward, and establish a permanent overtime policy; (2) provision of cash awards for outstanding suggestions from employees in all federal agencies; and (3) legislative support for adequate safety programs for federal employees.

The success with which the Commission's legislative program has met during recent years has been like Washington weather—unpredictably variable. Some notable triumphs have been recorded. The Ramspeck Act of 1940 stands out like a beacon, since it paved the way for the extension of the classified (or merit) service to a degree never before approached, and for the extension of the provisions of the Classification Act, under Commission direction, to the vast field services.[16] In the same year, the die was pretty well cast as far as the government's program for recruiting defense and war-needed personnel was concerned. The House Military Affairs Committee was favorably considering the exemption of civilian positions needed by the War Department from the Civil Service Act provisions. A strong protest by the Commission, followed by a masterful presentation of the case by Commissioner Arthur Flemming, stopped what would undoubtedly have been the snowball's descent, and no large-scale exemption of civilian war personnel from the recruiting jurisdiction of the Commission was again seriously threatened.[17] As a consequence, we face the government's peacetime burdens with the competitive merit system more firmly established in law and regulation than at any time in the nation's history.[18]

Of tremendous significance in the developing relations between Congress and the Civil Service Commission was the comprehensive investigation of civilian employment voted by the House in 1942 and carried on during 1943–45 by the Civil Service Committee under the chairmanship of Representative Robert Ramspeck.[19] As

[16] Public Law No. 880, 76th Cong., 3rd Sess.

[17] In order to understand the Commission's functioning during the war period, it is essential to note that it as a body formally designated Mr. Flemming to be in charge of its "war program activities."

[18] Some would argue that the Veterans' Preference Act of 1944 torpedoes this statement, and they have a point. However, in so far as original appointments are concerned, this law is essentially a confirmation of the preference long granted veterans by regulation. See below, p. 1076.

[19] See published series of hearings before the House Committee on the Civil Service: Investigation of Civilian Employment (78th Cong., 1st Sess., Mar., 1943, through June, 1943).

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the first and most frequent witness, Mr. Flemming had opportunity to present in great detail the philosophy and activities of the Commission.[20] The colloquy which rang the curtain on eight long sessions of his testimony gives a reflection of the significance of the hearings:

"MR. FLEMMING. . . . I know of no other time in the history of the Civil Service Commission when the opportunity that has been presented to me has been presented to an official of the Commission, to make as complete a presentation of our problems and of what we are trying to do about them. I just want to say that we deeply appreciate the opportunity.

MR. REES (ranking minority member). You have done a complete and excellent job, a splendid job.

The CHAIRMAN. I agree with Mr. Rees that Mr. Flemming has done a fine job . . . .[21]

The respectful relationship established at this time has brought dividends in progressive legislative action. Minor accomplishments have been entered in the profit column—such as improvement of retirement act provisions, authorization of transportation expenses in war recruitment, and legislation authorizing lump-sum payment of annual leave. The outstanding illustration, however, of recent Commission initiative in the legislative field is afforded by the general overhauling of federal pay legislation, accomplished in June, 1945. Working closely with Senator Downey's Senate Civil Service Committee, as with the Ramspeck Committee,[22] Commissioner Flemming and a number of his staff members worked day and night in marshaling facts, securing administrative clearance through the Bureau of the Budget, Office of Economic Stabilization, and the White House, presenting arguments. Tremendous and valuable support was received from employee organizations, War and Navy officials, the Executive Office staff, and many others, but few would deny that Mr. Flemming's leadership was primarily responsible for the effective coördination of executive-legislative effort, and for the notable speed in the passage

[20] Leonard White has well said: "Congress needs more information about the public service, more frequently presented, more carefully digested, more intelligently planned, than it now receives." See "Congress and the Civil Service," *Public Personnel Review*, Vol. 5, No. 2, p. 69 (Apr., 1944).

[21] Hearings before the House Committee on the Civil Service: Investigation of Civilian Employment, Part I (Mar., 1943), p. 238.

[22] Mr. Flemming frequently met with these committees in executive session.

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of the act which increased basic pay scales, speeded up periodic within-grade raises, and strengthened overtime pay policy.[23] Much the same pattern of activity brought about an additional pay increase, effective July 1, 1946.[24]

One of the most far-reaching personnel statutes recently passed is the Veterans' Preference Act of 1944.[25] Some of its provisions have been widely criticized, and Mr. Reeves has concluded "that in connection with the Veterans' Preference Act of 1944 the Commission did not advise Congress wisely with respect to technical methods of personnel administration; . . . it failed to recognize agency responsibility, operating requirements, and program needs."[26] Mr. Reeves centers his attack on the "rule of three," for the first time given a statutory basis, and the provision for veterans' preference in reductions-in-force, or lay-offs. A section even more frequently attacked is that which provides: "No minimum educational requirement will be prescribed in any civil service examination except for such scientific, technical, or professional positions the duties of which the Civil Service Commission decides cannot be performed by a person who does not have such education."[27]

I agree that both the legal provision for the "rule of three" and the educational provision are mistakes; also that the amount of preference granted in reductions is questionable. The degree of responsibility of the Civil Service Commission for the Veterans' Preference Act is, however, easy to over-estimate. In 1944, the term "veterans' legislation" was a magic password. The American Legion, Veterans of Foreign Wars, and Disabled American Veterans had just about agreed on a draft of a veterans' preference law, with introduction by Congressman Starnes promised and passage inevitable. The Commission, given a chance to enter the discussion, found either agreement or strong sentiment for (1) mandatory appointment of a veteran at the top of a civil service list, (2) absolute preference of veterans in reductions-in-force, (3) complete prohibition of education requirements, (4) 30-day notice and right of formal appeal for any veteran discharged even during his proba-

[23] Federal Employees Pay Act of June 30, 1945 (Public Law No. 106, 79th Cong., 1st Sess.).

[24] Public Law No. 390, 79th Cong., 2nd Sess.

[25] Public Law No. 359 of June 27, 1944, 78th Cong., 2nd Sess.

[26] Floyd W. Reeves, "Civil Service As Usual," *Public Administration Review*, Vol. 4, No. 4, p. 335 (Autumn, 1944).

[27] Public Law No. 359, June 27, 1944 (78th Cong., 2nd Sess.), sec. 5.

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tionary period, and several other undesirable provisions. Concentrating opposition on these points, Commission officials, both in informal meetings and official hearings, were able to exert an influence which helped to produce an act tremendously improved over earlier versions. It is doubtful if much better could have been done. The act as it stands, if followed by wise and courageous administration, need not prove the great setback many fear. Certainly veterans as a whole have a vital stake in safeguarding the merit system.

Recent legislation authorizing a progressive health and medical program for federal employees affords another illustration of Commission activity. Far removed from "traditional civil service matters," this is a phase of personnel management in which the government has fallen well behind progressive industry. Taking the lead in developing the facts, demonstrating the need, securing the agency points of view, and consulting with congressional committees, the Commission staff came close to success in the closing sessions of the 78th Congress, and succeeded in the 79th.[28]

Impulses on the Commission-Congress cable are far from a one-way affair. When congressional committees or congressmen (1) contemplate personnel legislation, (2) request service-wide personnel information, or (3) exhibit general concern on a personnel question, the Commission staff immediately sits up and takes notice. Successful testimony in 1945 against general exemption of Veterans Administration positions from the Civil Service Act illustrates the first;[29] detailed employment and turnover figures for Senator Byrd's joint committee on Reduction of Non-Essential Federal Expenditures is only one of many examples of the second; widespread congressional criticism of rapid promotions in 1943 spotlights the third. In this latter case, the Commission issued regulations designed as a "promotion brake."[30] Including a time period, which is unavoidably arbitrary, but permitting exceptions, these regulations were roundly and widely criticized by administrators. Though not generally known, the major reason for them was to forestall a legislative "brake" which would have been far

[23] H.R. 5257 was passed by the House. Reintroduced in the 79th Congress as H.R. 2716, it was passed and signed on August 8, 1946, as Public Law No. 658, 79th Cong., 2nd Sess.

[29] As does the unsuccessful effort to prevent exemption of Veterans Administration doctors several months later.

[30] Commission Departmental Circular No. 257, rev. 3, Sept. 20, 1943.

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more rigid and more permanent. The Commission's chief objective was to retain in the executive branch the authority to make promotions as warranted.[31]

The Commission's stand on legislation is both more sound and more influential since the establishment in 1942 of a Labor-Management Advisory Committee which regularly assists in hammering out the final position in general policy matters.[32] With six employee union officials—representing the American Federation of Government Employees and the National Association of Letter Carriers (A. F. of L.), the United Federal Workers of America (C.I.O.), the United National Association of Post Office Clerks, and the National Federation of Federal Employees—and six management representatives from the operating departments, this Committee has met regularly and to some degree supplied the organized employee-management discussions long felt to be lacking in the federal service. Its concern has been largely, though not entirely, with basic policy matters in which legislation is involved.

In summary, the Civil Service Commission today considers one of its primary jobs to be that of exercising leadership in the entire realm of federal personnel legislation. A comprehensive "Proposed Personnel Program for the Federal Service," developed by Commission staff members with close participation of operating agencies in the Council of Personnel Administration, includes an analysis of needed laws.[33] While no two experts will agree on the exact provisions of every phase of this program, it represents an assumption of leadership that does credit to a central personnel agency. In its influence as well as its interest in such matters, the Civil Service Commission has come a long way during recent years.

III. THE CIVIL SERVICE COMMISSION AND THE CHIEF EXECUTIVE

Public personnel literature abounds with statements to the effect that a governmental unit's personnel agency should be "close to the chief executive," both organizationally and influentially. At the same time, the U. S. Civil Service Commission has commonly been

[31] The long waiting period provided for within-grade increases in the Mead-Ramspeck Act (Public Law No. 200, 77th Cong., 1st Sess.) had afforded an example of legislative rigidity growing out of the conviction that administrative discretion had been abused.

[32] *60th Annual Report of the Civil Service Commission* (Washington, 1943), p. 51.

[33] *62nd Annual Report of the Civil Service Commission* (Washington, 1945), pp. 1–6.

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considered an "independent" regulatory commission, aloof from the President, as a sort of merit system watchdog.

Mr. McReynolds has reminded us that the Pendleton Act of 1883 clearly envisaged the Commission as an arm of the President, by no means independent. Service of the commissioners with no fixed terms, specific removal authority of the President, advisory responsibility as to civil service rules, which were to be determined and issued by the President—these are hardly the attributes of an independent body.[34] Yet by the 1930's, the popular conception of the Commission as an "independent" body was close to the facts. Major reasons for this state of affairs are easily found in the impossible managerial load which the expanded executive branch placed on the President, and the Commission's emphasis on the regulatory and control phases of civil service reform. "Thus in actual practice, the channel of administrative communication between the Commission and the Chief Executive became narrower and more tenuous. This development, which was not contemplated by the Civil Service Act, took place during a period when the President needed competent advice and aid on personnel matters to an increasing degree."[35]

Since 1940, a combination of factors has resulted in large measure in the reëstablishment of the Commission as a staff adviser to the Chief Executive. The war emergency, the aggressive leadership of Commissioner Flemming, and the White House channel afforded by the Liaison Office for Personnel Management, have all played their part.

Initiating and speaking for the Administration in behalf of needed legislation is itself, of course, a very important part of this staff work. The President has within his own discretion, however, authority, and indeed the necessity, for many important personnel decisions. The most formal are embodied in executive orders. Since the beginning of the defense emergency, a steady stream of such orders has appeared, and in the overwhelming majority the Civil Service Commission has played a major rôle in either the initiation, the final drafting, or both.

An early group of executive orders, requested and framed by the Commission, authorized the shortcutting of regular competitive

[34] William H. McReynolds, "The Liaison Office for Personnel Management," *Public Administration Review*, Vol. 1, No. 2, pp. 121–122 (Winter, 1941).

[35] *Ibid.*, p. 123.

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procedure when speed was essential in making defense program appointments. Executive Order 8257 of September 21, 1939, authorized the Commission to permit an "immediate appointment without regard to the competitive requirements of the Civil Service Rules in any case in which it appears that a public exigency exists which is directly connected with the neutrality of the United States or the preparedness program of the federal government," but "only under most unusual and compelling circumstances." Executive Order 8564 of October 8, 1940, further increased the discretion of the Commission to approve war-duration appointments after non-competitive tests when it found such action in the public interest.

The basic and far-reaching executive order under which the entire wartime recruiting and placement program was conducted was drafted by the Commission,[36] and served as the basis for a set of "War Service Regulations" under which a speed and flexibility were achieved which have warranted a rather general "Well done" from informed observers of the "Civil Service in Wartime."[37] An inter-agency transfer program, with contribution to the war effort the primary criterion, was prescribed in Executive Order 9067, and further developed in War Manpower Directive No. 10, both of which represented the Chief Executive's favorable decision on a Commission-initiated program.

Numerous orders were issued on technical questions related to employment. Some dealt with determination of career service status,[38] some with employment rights of veterans,[39] some with transfers and releases,[40] others with restriction of certain positions to veteran applicants,[41] still another with rehabilitation training of veterans in government positions.[42]

Beyond the employment phase, executive orders have been

[36] Executive Order 9063 of February 16, 1942.

[37] Leonard D. White (ed.), *Civil Service in Wartime* (Chicago, Univ. of Chicago Press, 1945), p. 253.

[38] Executive Order 8952 of November 27, 1941; Executive Order 9259 of October 26, 1942; Executive Order 9506 of December 12, 1944; Executive Order 9598 of August 17, 1945; Executive Order 9644 of October 19, 1945.

[39] Executive Order 8937 of November 7, 1941; Executive Order 9538 of April 13, 1945; Executive Order 9678 of January 14, 1946.

[40] Executive Order 9243 of September 12, 1942; Executive Order 9695 of February 8, 1946.

[41] Executive Order 9589 of July 16, 1945.

[42] Executive Order 9503 of November 27, 1944.

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issued establishing a minimum wartime work-week of forty-eight hours,[43] defining the government's war-time policy for holidays and overtime compensation,[44] revamping the general regulations covering annual and sick leave,[45] promulgating the Commission's regulations relating to efficiency-ratings administration,[46] and setting a classification policy for the field service of the emergency war agencies.[47] In one of the most significant developments in federal position-classification since 1923, Executive Order 9512 required adherence to Commission-established standards in the classification of positions throughout the entire field service.

Most recently, in Executive Order 9691, President Truman put into effect the Commission's program for immediate but gradual resumption of competitive examinations for career service (as opposed to wartime "duration") appointments, and for a transitional period leading into a long-range program, in both of which the degree of Commission-operating agency coöperation throughout the entire recruiting, examining, selection process is encouragingly foreshadowed.

This is by no means a complete listing of recent executive orders on personnel practices. It is an indicative sample, however, and the underlying theme has been the large degree to which the Commission has taken the initiative, and has influenced the Chief Executive's decisions. The story would be misleading, and far from complete, if the participating rôle played by the Liaison Officer for Personnel Management, the Bureau of the Budget, and more particularly the operating departments, were overlooked. Largely through the Council of Personnel Administration, these other interested parties have helped to formulate and refine the statements of policy and practice finally issued by the President. It is indeed now the commonplace practice of the Commission in soliciting and securing agency advice in the preliminary stages which has added value and influence to its final recommendations to the Chief Executive.

The President's influence is needed, and can be made felt, in less formal ways than the executive order. Since Commissioner Flem-

[43] Executive Order 9301 of February 9, 1943.

[44] Executive Order 9240 of September 9, 1942; Executive Order 9289 of December 26, 1942; Executive Order 9636 of October 3, 1945.

[45] Executive Order 9414 of January 13, 1944.

[46] Executive Order 9252 of October 9, 1942.

[47] Executive Order 9330 of April 16, 1943.

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ming has taken to heart the Civil Service Commission's responsibility as staff adviser in all personnel matters, and since the Liaison Officer for Personnel Management affords a ready channel, the boss's "influence" has been invoked in a number of instances. At the height of the war program, with urgent production schedules and many manpower shortages, the Commission became convinced that how men were placed, trained, supervised, and given strong incentives and high morale would make a tremendous difference in their output. It took the position that improved personnel management in all its phases would save manpower, and that Presidential support for a government-wide program was essential. Consequently, after drawing plans calling for action by each federal department, the Commission secured White House support and in a letter addressed to each department and agency head on January 31, 1944, stated: "The President, who is familiar with this program, has requested the Civil Service Commission to advise him from time to time as to the progress being made. . . ."

By 1943, the reëmployment of the government's former civilian employees now returning from military service had become a service-wide problem of considerable complexity and significance. The Selective Training and Service Act of 1940 had imposed an obligation upon the government as well as private employers to reëmploy such veterans in their old positions, or "positions of like seniority, status and pay."[48] Considerable clarification was needed, together with a strong statement of Presidential policy. The Civil Service Commission, though not directly mentioned in the act, drafted two letters for the President's signature. One of these was sent to each department and agency head, on February 26, 1944, making clear the Chief Executive's over-all policy and the responsibilities to be assumed by the agency on the one hand and the Civil Service Commission on the other. The other was addressed to the Commission, outlining its responsibility, and asking that the President be kept advised on the progress of the program throughout the government. One early instance of agency reluctance to reëmploy a veteran whose case was clear, reported to the White House, brought prompt and effective action through the line of command.

Soon after V-E Day, a presidential policy on the hours of the

[48] Selective Training and Service Act (Public Law No. 783, 76th Cong., 3rd Sess.), sec. 8.

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federal work-week was announced in a letter prepared by the Commission and the Council for Personnel Administration. More recently, a presidential message to all departments highlights management's responsibility for programs of employee safety, and directs the Civil Service Commission to give increasing attention to this phase of personnel work.

As Leonard D. White has pointed out, President Franklin D. Roosevelt exerted a great influence in modernizing the federal personnel program and in supporting progressive proposals of an invigorated Civil Service Commission.[49] It remained for President Truman, however, to add the touch of personal, and oral, support. It came about in this way. On January 24, 1946, Commissioner Flemming was discussing with the Council of Personnel Administration a proposed civil service program for the postwar period, to be inaugurated by executive order. At the close of this discussion, Chairman Davenport accepted a suggestion that the President be asked to swing the champagne bottle. The Liaison Officer for Personnel Management, R. R. Zimmerman, was approached, turned the trick, and history was made. On February 9, 1946, Mr. Truman addressed a White House meeting of agency heads and personnel directors, giving a personal blessing to the program he meanwhile had initiated in Executive Order 9691. He avowed his own position, and called for universal interest in, and progressive handling of, personnel matters generally. He urged greater operating agency-Civil Service Commission coöperation. The very fact of the meeting, together with the President's presence and remarks, constituted an underlining of the significance of the personal side of management. It was a boost for the work of the Council, the personnel directors, and the Civil Service Commission.

The Commission is far from the only force influencing the President's decisions in matters of general personnel practices, and I wish to avoid an exaggeration of its rôle. The operating departments, the Council of Personnel Administration, the Liaison Officer for Personnel Management, the intimate White House staff, considerations of political strategy—all are in the orchestra. Furthermore, the Commission's proposals are not always accepted, always significantly successful when accepted, or always widely hailed when accepted and successful. The Commission has,

[49] Leonard D. White, "Franklin D. Roosevelt and the Public Service," *Public Personnel Review*, Vol. 6, No. 3, pp. 139–146 (July, 1945).

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however, increasingly assumed and acted upon its responsibility as staff adviser on all phases, not just the "negative" ones, of executive branch policies and practices in the personnel field. It has been exhibiting leadership, on the whole influential and progressive. The fact that Council of Personnel Administration (i.e., operating agency) views are usually reflected in its recommendations, sometimes as the initial suggestion, sometimes as refinement or revision, enhances rather than minimizes that leadership.

IV. THE COMMISSION AND THE OPERATING DEPARTMENTS—CONTROL FUNCTIONS

Loosely grouped, a Civil Service Commission's operating relations with line departments fall into two categories: control and service. In both areas, notable developments have characterized the federal government's recent history. The first significant fact is the steady increase which has taken place in the extent and variety of Commission control responsibilities. Jurisdiction over initial appointments grew "upward, outward, and downward" with successive recent extensions of the coverage of the Civil Service Act.[50] A tremendous jump took place in the number of suitability investigations, with authority to order removal of those who had been appointed to war jobs "subject to investigation" should the check-up prove unfavorable. In inter-agency transfers, the Commission's control became practically absolute during the war, with authority of approval or disapproval on either or both grounds of unsatisfactory qualifications or contribution to the war effort. Decision on withholding or conferring permanent civil service status in a wide variety of cases, though nothing new, assumed enlarged proportions after 1944. Authority to set standards, and to permit or refuse individual agency requests in the field of internal promotions, was conferred, and its exercise increased noticeably in 1943.

A measure of Commission control over position classification was extended to the field service of the emergency war agencies in 1943, and to the federal field service generally in 1945.[51] Executive Order 9414 directed the Commission to promulgate regulations controlling the administration of annual and sick leave throughout the executive branch. The Hatch Acts of 1939 and 1940 gave a

[50] See above, pp. 1072, 1074.

[51] Executive Orders 9330 and 9512, respectively, of Apr. 20, 1943, and Jan. 18, 1945.

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statutory basis for Commission efforts to prevent undue political activity of civil servants.[52]

Efficiency rating regulations and the rules governing the order of lay-offs during reductions in force have both been issued under earlier authority,[53] but toward the close of the war and during the demobilization period they assumed major significance as limitations on departmental discretion.

The Commission's general oversight of the reëmployment of returning veterans who had left the civil service has included several control aspects. Also, the Veterans Preference Act of 1944 assigned to that body a number of specific enforcement responsibilities, along with general power to issue regulations carrying out the intent and purpose of the act. In the procedural realm, the Commission's power to prescribe forms and methods has cut a wide swath since 1941—embracing forms and procedures in application, appointment, promotion, status change, classification, leave administration, and reporting of personnel statistics.

Through this broad range, the possession and use of authority has endangered, as will any exercise of central control, the friendly coöperation of departmental and Commission officials in the pursuit of a single over-all objective. Many line officials today think of the Civil Service Commission as an obstruction, as the dead hand of rigidity on managerial discretion. Where encountered, this attitude can usually be accounted for in one or more of the following ways: individual Commission staff members who are generally suspicious of agency officials, or who in their limited judgment all too frequently say "no"; lack of personal contact and thorough understanding; operating officials who have an inadequate understanding of the Commission's objectives and regulations, or who are intolerant of any limitation on their own actions; use of the Commission as a scapegoat. Undoubtedly, there have been many individual Commission decisions which are narrowly legalistic, or incorrect. Furthermore, the degree of understanding of agency problems, and the quality of decisions, has understandably shown considerable variation among thirteen regional offices.[54]

[52] Hatch Act of 1939 (Public Law No. 252, 76th Cong., 1st Sess.); Hatch Act of 1940 (Public Law No. 753, 76th Cong., 3rd Sess.).

[53] For example, sec. 4 of the act of August 23, 1912 (Public Law No. 299, 62nd Cong., 2nd Sess.).

[54] The thirteen regional offices which operated throughout the war have recently been increased to fourteen.

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Two major trends bid fair to leave a lasting effect upon the Commission's control or regulatory functions. First ranks the habit of personal contact. Heightened during the war, and with many manifestations, the face to face discussion of mutual problems has deeply colored the authoritarian relationship. Illustrative are the activities of the Commission's wartime liaison staff in Washington, or special representatives as they were known in the field.[55] Assigned to specific agencies or field establishments, usually with office space on the premises, these individuals exercised extensive control authority, but under conditions which insured intimate and usually sympathetic understanding of the client's manpower problems.[56] Their experience, along with the growing personal contacts of Commission specialists in examining, classification, and efficiency rating, has leavened the entire Commission operation.

Any weekly meeting of the Council of Personnel Administration in Washington, or of one of the twenty-five field councils,[57] gives further evidence of the impact of personal contact on the control relationship. In the Washington meetings particularly, regulations and controls are hammered out before they take effect; often more than half a dozen Commission staff members participate in the free-for-all with agency personnel directors. Both groups learn something in the process, and it shows in the final result.[58]

Along with personal contact, another pattern is emerging which strikingly reshapes the control relation. It runs: setting of standards by the Commission, delegation of authority to the departments to administer those standards, occasional Commission spot check. Something like this approach has long been sought by many agency officials. They, as well as others, have argued that the federal establishment is too large for a central agency to attempt

[55] H. L. Buckardt, "The Liaison Service of the U. S. Civil Service Commission," *Personnel Administration*, Vol. 7, No. 9, p. 4 (May, 1945); Arthur S. Flemming, "Emergency Aspects of Civil Service," *Public Administration Review*, Vol. 1, No. 1, pp. 25–31 (Autumn, 1940).

[56] Approval of thousands of agency nominations on the spot, for example (a wartime practice which was absolutely necessary), led the Monday morning quarterbacks in Congress to charge the Commission with selling out entirely to the agencies' "office politicians."

[57] Stephen P. Ryder, "Improvement of Field Personnel Administration," *Personnel Administration*, Vol. 6, No. 1, pp. 6–11 (Sept., 1943).

[58] See John McDiarmid, "Attacking Personnel Problems Coöperatively," *Public Personnel Review*, Vol. 7, No. 2, pp. 57–65 (Apr., 1946).

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to decide individual cases of classification, or promotion, or perhaps even certification for original appointment. Early precedents can be cited—notably, the delegation of examining and certifying authority to "labor boards" in War and Navy Department field establishments. More recently, the development got under way with the delegation of promotion authority in 1941. It spread to classification throughout the field service with Executive Order 9512, which provided that the Commission should issue standard class specifications, but that allocation of individual positions in line with these standards would be the responsibility of the line departments. The Commission and the Council of Personnel Administration are united behind legislation which would apply a similar principle to classification of Washington headquarters positions.

It remained for Executive Order 9691 and its accompanying regulations, however, to introduce the most significant of all transfers of operating authority from the Commission to the departments. Basically, they provide a coöperative program for the recruitment, examination, and selection of persons for middle and top bracket positions. While leaving over-all direction and standard-setting with the Civil Service Commission, they pave the way for Committees of Expert Examiners representing the departments to do the examination and selection job. This constitutes a radical departure from examining tradition, and the results can have a marked effect on the future distribution of tasks between the Commission and the line departments. With a growing habit of face-to-face discussion, and with the progressive withdrawal of the Commission from decision of individual cases, much, though far from all, of the potential friction can be extracted from the exercise of controls.

V. THE COMMISSION AND THE OPERATING DEPARTMENTS—SERVICE FUNCTIONS

The war years carried with them a marked growth within the Commission of both the philosophy and practice of service and assistance to the operating departments. Many forces played their part in this development: the unifying effect of war objectives, the attitude of the Commission's leadership, an influx of new blood with a service concept, increased personal contacts, and a relatively generous budget.

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Some of the most notable evidences of the service approach occurred in the areas over which the Commission had control authority. Thus the recruiting and appointment process in the early days of the war became largely one of finding talent to meet agency needs, or approving persons located by agency officials. The formal controls of examining, rating, certifying ranked eligibles, faded into insignificance. Recruiting for O.D.T., for Pearl Harbor Navy Yard, or an army air base boiled down to getting the best people immediately available, and getting them on the job.[59] The ingenuity, conscientiousness, and overtime hours which characterized the work of many Commission recruiters throughout the country fed on the conviction that the operating agencies needed help, not regulation, and that effective assistance to them was the primary goal. Similarly, the classification technicians of the Commission, some of them assigned on an agency basis, devoted many hours of time to advising agencies on internal classification snarls, including problems in the field over which they had no jurisdictional responsibility. With the establishment of the Foreign Economic Administration, for example, a request from Mr. Crowley resulted in the full-time assignment of a Commission staff member to the planning and organizing of the intra-agency classification program. Examples from other control areas—inter-agency transfer, efficiency rating, reduction in force, personnel records—could be cited also. The salient point here is that the service concept got woven into the policeman's creed—not always, not enough, but to a far greater degree than generally recognized.[60]

A clearer view of the wartime service activities of the Commission can be had in the phases of personnel management in which no regulatory responsibility exists. The greatest advance was made in the general field of in-service training, which is probably the most tangible of the activities commonly blanketed under the label, "a

[59] See *Civil Service in Wartime*, especially Chaps. IV and VI.

[60] An interesting commentary on the interrelation of control and service was the experience of the most able of the Commission's recruiting representatives. Perhaps not always, but generally, these persons said "no" more often when an agency requested a questionable appointment than did other recruiters. However, they gained agency respect, not only for turning down appointment of undesirables, but for successfully finding alternative candidates who were qualified. In other words, "no" seemed to them only a partial answer, completed only if a good man could be promptly got on the job. The many attractive employment offers which these recruiters received in their agency contacts cannot be attributed entirely to the philosophy "if you can't lick 'em, jine 'em."

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positive approach to personnel administration," and which was sadly neglected before 1939.

Executive Order 7916 sounded the starting gun, with the provision that: "The Civil Service Commission shall, in coöperation with operating departments and establishments, the Office of Education, and public and private institutions of learning, establish practical training courses for employees in the departmental and field service of the classified civil service. . . ." It was well after March, 1939, however, when a Coördinator and Director of Training was added to the Commission's staff, that a substantial program got under way. Let us make a quick review of the various facets of this program, at its peak in 1944–45.

Of key importance was a general *training advisory service*, with staff devoted full-time to helping operating agencies identify and meet their various training needs effectively. During one six-months period, the Commission's Washington staff of six training advisers serviced 588 agency requests for assistance. This ranged from continuous consultation during the setting up of agency-wide training policies and programs, through the selection of training schedules and materials for an infinite variety of specific programs, to advice on final revision in the plans for a training conference. This individual consultation extended over training for such diverse groups as new employees, messengers, typists, stenographers, machine operators, personnel officers, administrative assistants, supervisors, lawyers, executive personnel; and covered many subject fields, including orientation, filing, procedure writing, correspondence, efficiency-rating administration, conservation, agency objectives and policies, handling grievances, safety, and public relations. The best measure of service rendered was the mounting number of requests for additional assistance.

As a slight variation of individual consultation, the training advisory staff organized and spearheaded a series of *interagency training conferences*, directed at exploration and solution of major common training problems. In areas such as stenographic training, records administration, orientation of new employees, representatives of a large number of agencies met regularly over periods of many weeks to pool information, exchange ideas on successful experiments, and develop training materials needed generally. Taking responsibility for the recording and follow-up of these conferences, Commission staff members published a wide variety of

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training aids. "Practice Manual for Typists in Federal Agencies," "Typewriter Care," "Government Dictation," "Outline of a Refresher Training Course in Shorthand," as some of the titles in the typing and stenographic field, are illustrative. Another in this series, "Better Use of Stenographers and Typists," sold over 100,000 copies through the Government Printing Office, and was used in numerous agencies, both Washington and field.

Tied in closely with the training advisory service was a *library and reference service* of training materials. Starting out as a small collection of unpublished and elusive materials, this grew into a large and comprehensive collection found increasingly valuable by officials of the various departments who were seeking guidance in initiation or improvement of training programs. They could benefit from the experience of other agencies whose carefully laid plans, outlines, and evaluations of results in meeting a similar training need were recorded and classified for easy reference. Typewritten materials in single copy were available for use along with much which was mimeographed or otherwise duplicated for wide circulation. The usefulness of this one central source, eliminating duplication of surveys and pooling the dynamic experience of all branches of the executive department, was widely hailed by personnel and training officials.

Frequently, when a general need was demonstrated for *training materials* not available, the Commission supplemented both the reference service and the conference results by the preparation of original written guides. Sample titles are: "Work Sheet for Planning a Training Project," "Junior Administrative Training Program—Course Outline," "Worksheet for Planning a Conference or Discussion Meeting," "Guide for Orienting a New Employee."

At the height of the war period, the Commission's most ambitious service in the training realm dealt with the *training of supervisors.* In wartime government, as in war industry, the key rôle of the immediate supervisor in getting out production was widely recognized. Training Within Industry, having searched for the most profitable service it could render industrial production, had settled on supervisory training and prepared thoroughly tested programs to improve the supervisory skills of (1) instructing employees in their daily work, (2) simplifying work methods to get more work with less men, and (3) preventing employee problems from arising and solving those that do arise. Convinced that sauce for the private goose would also fatten the governmental gander, the Com-

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mission adapted the T.W.I. programs to government operations, hired a staff of promoter-instructors, and went to work. Under an entirely voluntary plan in which agency representatives attended a week's institute conducted by Commission instructors, then returned to direct the training of their own supervisory staff, over thirty agencies had participated by July, 1945. In 1944, it was estimated that the net result had been training of 13,000 supervisors in job instruction training, 14,500 in job methods training, and 6,500 in job relations training. In 1944–45, the Commission had a professional staff of seven in Washington and one each in thirteen regions throughout the country engaged in the enterprise. The demand for their services mounted far beyond the supply of their time.

Of somewhat special nature, three other major training activities characterized the Commission's 1945 services. A common element was the initiation of each at the request of operating agencies, acting through the Council of Personnel Administration. This fact in itself casts some light on the question of whether a control agency can achieve the coöperation of line departments in voluntary activities.

The first of the three, in point of time, was a series of field conferences in personnel management. Planned with considerable agency help, but organized and managed primarily by Commission staff, these conferences brought together from one to three hundred administrative and personnel officials in such cities as New York, Atlanta, Cincinnati, St. Paul, San Francisco, and Seattle. Representing scores of field establishments, these officials participated in a two- or three-day program, covering such topics as classification, efficiency rating administration, training, employee relations, and reduction-in-force, under the leadership of recognized authorities. Interest and enthusiasm were almost uniformly high, and a concensus invariably indicated worth-while results.

The second of these special programs was pitched at the Washington level, and designed to provide interagency training in the common and important management techniques in such fields as budgeting, procurement, accounting, personnel. For general guidance, the Commission appointed a distinguished advisory committee, representing the central staff or auxiliary agencies and over half a dozen line departments.[61] An initial program was launched, with wide acclaim, in budget formulation. Interestingly,

[61] See John McDiarmid, *op. cit.*, p. 64.

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it was directed, not at beginners or no. 1 budget officers, but generally at the high level employees just beneath the top in agency and bureau budget offices.

Finally, the Commission launched in 1944 an internship program for the most promising of the potential administrative talent that could be located throughout the service. With over twenty agencies participating, thirty men and women were selected after meticulous screening, relieved of current duties, and given six months of organized training and guided work assignments, all designed as a broad and challenging preparation for more responsible administrative duties.[62] The program was repeated in 1945, and again in 1946. If maintained, its leavening effects over the years should markedly benefit the entire service.

Built largely around the activities in the training field, and launched as indicated above with presidential sanction, the Commission's "personnel utilization program" represented the furthest extension of the concept of staff service to operating departments. With a small Washington staff and one or more personnel utilization consultants in each regional office, this program was aimed at stimulating and assisting in the improvement of all phases of internal personnel management.

Emphasis in the early stages was on "personnel utilization surveys," to discover and strengthen weak spots in an establishment's personnel armor. These surveys, conducted variously by Commission staff, by joint agency-commission teams, or by agency officials with Commission advice, fell generally into two types. One was directed primarily at the employee and usually inaugurated with a questionnaire. It featured a careful inventory to see if unused skills could be brought to light and put to work through better matching of man and job, and a search for employee suggestions looking toward greater efficiency. It was most productive in the large field establishments, which had grown rapidly without sufficient provision for a careful continuous internal placement program. In one instance, as an illustration, such a survey resulted in the cancellation of 1,183 vacancies on requisitions with

[62] See Franklin G. Connor and Russell H. Landis, "The Federal Administrative Intern Program," *Personnel Administration*, Vol. 8, No. 4, pp. 11–14 (Dec., 1945). Credit for pioneering this in-service internship program goes to the National Institute of Public Affairs, which carried on the first experiment successfully during 1944. Henry Reining, Jr., "The First Federal In-Service Internship Program," *Personnel Administration*, Vol. 7, No. 4, p. 8 (Dec., 1944).

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the Commission, the reassignment of 995 employees for more effective use of previous training and experience, and establishment of a qualifications file and internal placement program.

The second type of survey was aimed principally at supervisors and staff officials, and consisted of a survey team's over-all analysis of an agency's personnel program, both policies and practices, with recommendations for improvement. On some occasions, the causes of high absenteeism and turnover were the immediate target. Training needs, placement and promotion practices, working conditions, community facilities, and employee relations were commonly emphasized in the inquiry. To illustrate: a survey in an establishment of 7,900 civilians led to initiation of orientation, supervisory, clerical, stenographic, and safety training, a qualifications file for internal placement, improvement of working conditions, and a drive to cut absenteeism. Results to which this survey contributed included: a drop in absenteeism from 11.87 to 5.71 per cent, reassignment of 595 employees, cancellation of thirty-seven vacancies, and a marked increase in production per employee. In addition to participation in over 2,500 spot surveys in Naval shore establishments, Commission representatives had, as of February 1, 1945, either conducted or taken active part in over 240 personnel utilization surveys covering offices of seventeen different agencies and over 606,000 civilian personnel.

Many agencies and establishments had a resistance to anything labelled a survey, yet were faced with immediate personnel problems on which they welcomed advice and assistance. Particularly as the Commission representatives gained agency confidence as friends and not policemen, their help was used in designing a promotion program, or a specific training program, or an exit interview program, or a grievance procedure, or a transportation plan, a suggestion system, an employee representation plan, or a statement of personnel policy. Not necessarily more expert than agency personnel officials,[63] the Commission's personnel utilization consultant could offer an independent view, perhaps an influence with the establishment boss more effective than that of a subordinate personnel officer, and, most important of all, a vantage point as clearing house of the most progressive and successful practices developed by the agencies in his territory. Case books of concrete accomplish-

[63] Although in the field this frequently was the case.

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ments by other agencies proved to be among the most effective sales approaches used.

At the Washington level, over and above particular training aids, which were most numerous, a start was made in publication of materials which would be generally useful. *Better Use of Personnel*, issued in February, 1944, was a check-list of questions to serve as a basis for a searching analysis of present personnel practices. Distributed to all agencies, and selling over 100,000 copies, it covered the following topics: support of top management; improvement of supervision; position-classification as a tool of management; internal placement; training; job breakdown for economizing in skills; cutting down absenteeism and turnover; progressive employee relations; working conditions, safety, and health.

Evaluating Personnel Management, a more detailed guide with some suggested standards; *Notes on Better Use of Personnel*, a collection of case histories; *Position-Classification as an Aid to Supervision and Management; Guide for Supervisors in Administering Leave; Employee Counseling; Operations Manual for Placement of the Physically Handicapped;* and a series of selected bibliographies on various phases of personnel management, represent other publications of importance.

Thus, as it developed, the Commission's personnel utilization program came to be as broad in scope as personnel management itself. Surveys as such, still useful, were less emphasized than a flexible approach which planted a seed here, supported a progressive development there, lent a hand in solving urgent problems, and always threw its support to establishment of the personnel function at a high level with top management recognition and support. The service concept was paramount, with priority given to agency requests for assistance, and with recognition that recommendations initiated by Commission staff must be sold on their merits to the responsible agency management.

A Sad Postscript. The personnel utilization program just sketched grew during wartime, with its demand for high production and its manpower shortages. The Commission leadership looked upon it, however, as of permanent value. This was reflected in budget requests for fiscal 1946 and 1947, both of which sought funds for carrying on personnel management advisory services as a continuing function. Not so, said an economy-minded 79th Congress, which ordered a marked curtailment by July 1, 1945,

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and in a succession of drastic appropriation cuts following V-J Day virtually forced the abandonment of the bulk of orderly activities along these lines. The regional consulting and training staffs disappeared, and most of the full-time Washington staff were released or reassigned to other duties. Significantly, the Council of Personnel Administration formally expressed its concern at the forced retreat and hoped for an early revival; and recently a partial regeneration has occurred.

VI. THE POSTWAR OUTLOOK

Perhaps far more than is generally realized, the recent years have seen the U. S. Civil Service Commission exercise a leadership throughout the entire range of federal personnel management. Viewing its own rôle broadly as that of a central personnel agency,[64] it has assumed the functions of staff adviser to the Congress, the President, and the line departments on matters far afield from the "traditional civil service activities." Under aggressive leadership, in a war emergency, with adequate funds for the first time in history, it reached the pinnacle of its prestige, its influence, and its constructive contribution to the positive phases of developing human power in government.

Much of this should represent permanent gain, with widespread benefits. Current trends point to a continuation of influence, with Congress and the President, to more personal contact and coöperation with line departments, to more concentration on matters of legislative and executive policy and the establishment of general standards, and to more delegation of authority over operating details to the agencies on the firing line—all to the good.

The recurrence of the old occupational disease of civil service commissions, however, financial starvation, dampens the optimism. With huge work loads of regulatory activities which are mandatory in the statutes, drastic budget cuts could hardly result in other than the curtailment or discontinuance of many of the constructive services so long found lacking, so recently developed, and so short-lived. In addition to their intrinsic worth, these service activities enriched the Commission's philosophy, and thus paid dividends also in their indirect effect upon the day-to-day administration of restrictions and controls. Inside the Commission, the

[64] Incidentally employing the term again and again in its publications.

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service philosophy inevitably competes with the control philosophy, and no permanent balance can result if only one army remains to occupy the field.

Also, in the control areas—for example, examining and classification—continued improvement in the quality of the Commission's performance will require adequate budgets for maintenance of competent professional staffs, and for research. Can Congress be convinced that penny wise can be pound foolish in so far as personnel management is concerned?

The fact that the Commission's rôle has changed markedly in the last few years does not necessarily settle the issue as to the best form of organization for the federal government's central personnel work. Strong arguments can still be advanced in behalf of a single personnel administrator reporting directly to the President, with a board of part-time members serving in an advisory and quasi-judicial capacity. Were this step taken (and there have been some recent indications that President Truman might make the proposal), there would be the possibility of greater operating efficiency, more intimate staff work, increased delegation of authority to departments, and accelerated growth of service activities. Opponents of the change are convinced that any gains on the side of efficiency and interagency relationships are well outweighed by the weakening of the central personnel agency as merit-system protector.

This question will be reopened periodically. Whatever organization pattern finally emerges, the concept of a central personnel agency in fact as well as name seems firmly established. To the acceptance of this concept, and to the working out of the concrete steps needed to realize its potentialities, the Civil Service Commission's recent history has made notable contributions.

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A POLITICAL SCIENTIST LOOKS AT MILITARY GOVERNMENT IN THE EUROPEAN THEATER OF OPERATIONS*

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The political scientist found various aspects of World War II of professional interest. Perhaps there were no fields as intimately related to political science as radar and atomic energy in the case of the physical sciences, though such agencies as the War Production Board, the Office of Price Administration, and the Office of Civilian Defense presented many problems of vital concern. Of the strictly military programs, it is probable that none involved so many aspects of political science as military government. Military government programs of some elaborateness were drafted for North Africa, Sicily and Italy, the Pacific Islands, Japan, Korea, and Germany and the countries which had been occupied by Germany. The military government activities in the European Theater of Operations surpassed all others in scope in that they involved both combat and post-hostility operations of great magnitude, necessitated dealings with both conquered and liberated peoples, required the establishment of a system of government from the bottom up through the state level in Germany, and were participated in by all four of the major Allied Powers. The European Theater of Operations also saw the widest use of officers who had been assigned on the basis of their specialist knowledge of various aspects of military-government activities. It may therefore be of some interest to the political science profession to comment on the general record of military government in the ETO.

Considering the comparatively minor rôle of military government in previous conflicts in which the United States has been engaged and the difficulty experienced by certain agencies in get-

* The author of this article served as a major detailed to the General Staff Corps while on leave from DePauw University during 1943–45. He was assigned to the German Country Unit of SHAEF as planning officer in the Interior Division and later as American member of the Board of Editors of the *Handbook for Military Government in Germany*. After the establishment of the US Group, Control Council for Germany, he served as consultant on the reorganization of German government and for nine months as acting executive officer of the Political Division (Office of Political Affairs). Acknowledgment is made of a grant-in-aid from the Social Science Research Council to assist in a study of military government.

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ting organized to cope with the far-reaching problems arising out of the war, it is distinctly impressive that the War Department, and to a lesser extent the Navy Department, should have given so much attention to planning for military government at a rather early stage in the war. There was, of course, a certain amount of fumbling in setting up machinery to handle military government, and some of the early plans left something to be desired. But the remarkable thing to a political scientist is that responsible officials in the War and Navy Departments realized the need for an extensive military government program based on the use of specialist officers, and that, at a time when manpower with any experience was acutely short in supply, they gave a considerable amount of attention to the establishment of the necessary organization. The creation of a Civil Affairs Division in the War Department and the recognition given military government functions by providing G-5 staffs at theater, Army Group, Army, and division levels in the field were most significant.

As early as 1942, schools for the training of specialist officers in military governnment were organized. The School of Military Government at Charlottesville started giving instruction to officers within a few months of Pearl Harbor, and a little later a similar Navy school at Columbia University got under way. In 1943, the Provost Marshal General's School was opened at Fort Custer, Michigan, feeding its numerous products into the various Civil Affairs Training Schools located on university campuses. It may be noted that political scientists participated in the planning and establishment of these schools, that they served as commissioned and civilian instructors at Charlottesville, Columbia, Fort Custer, and at the CATS, and that a small number were included among the officer trainees.

The curricula of the various military government schools started out by including an amazing mixture of relevant and irrelevant material. Trainees listened to lectures dealing with the Army post office, military etiquette, military correspondence, the problems of military police, court martial procedure, and numerous other topics. Officers who rarely if ever had to fire any kind of weapon after they arrived in the ETO found themselves not only doing target practice with the .45 and carbine, but exposed to the assembling of a Thompson submachine gun. However, it is significant that from the very beginning substantial attention was paid to

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basic material relating to political science, both of the principles and the areal variety. As experience was gained, the instruction became less heterogeneous and special stress was placed on areal instruction. As military-government operations proceeded in North Africa and Italy, an attempt was made to relate the instruction as closely as possible to practical problems arising out of actual experience. However, it proved difficult to secure adequate current information, since no provision was made for sending instructors to serve in the field or to bring back experienced military government officers to offer instruction, though occasional lectures were given by officers who had returned to the United States for various purposes. Areal instruction sometimes stressed the past to a greater extent than the present, and because of the time element and other factors, it was usually general rather than specialized in character. Such courses could hardly be expected to turn out European experts, but they nevertheless served a useful purpose in giving specialists in law, engineering, and other fields some background in European affairs.

Military government personnel in the ETO included a great diversity of officers and men—some extremely able, a few very weak, and a large number above the average in competence. There were the specialist officers commissioned directly from civilian life or assigned to military-government schools in the United States from other Army or Navy branches on the basis of civilian experience. The original assignments to planning units and operating detachments were made almost exclusively from this group. When the German government collapsed and it became evident that military government would be forced to construct a new system of government from the ground up, it was decided that the number of military government specialist officers was quite inadequate to staff the detachments, and numerous surplus combat officers were assigned to military-government units. The specialist officers, though not always outstanding, probably represented one of the best examples of personnel selection in the Army. Most of them could point to reasonably good academic training in a professional field related to military government, and in addition they had had quite broad practical experience in those fields. Lawyers, business men, public officials, civil servants, engineers, newspaper editors, and technical specialists in such fields as forestry, public welfare, live-stock breeding, mining, and public health predominated.

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By and large, the specialist officers were seriously interested in the work to be done and a sizable group displayed something of a missionary spirit. Here were numerous men in their fifties who had given up the comforts of home and the incomes of successful professional practices and business positions to undergo the discomforts of military life in the field and the comparatively small military pay because they hoped to contribute not only to the successful prosecution of the war but to the future peace of the world. It was exceedingly trying for many of these men of affairs to wait in England and France during the long months before their active services could be used, and morale became a serious problem, especially when many combat officers refused adequate recognition.

To a political scientist, the chief weakness in the military-government specialist personnel program was the lack of attention given to policy and planning positions. The German Country Unit, the various missions to the liberated countries, G-5 of SHAEF and USFET, and the US Groups, CC for Germany and Austria, all required fairly large staffs of officers familiar with the political and socio-economic institutions of Germany especially, and to a lesser extent of France, Belgium, Holland, Denmark, Norway, and Austria. The detailed plans which had to be drafted by these units required the very fullest knowledge of current conditions in the several European countries as well as experience in research and analysis. Yet little attention was given to the staffing of these agencies in the recruiting of military-government officers in the United States. Fifty political scientists with background in European governments and experience in research could have served a most useful purpose on the planning staffs; but only a handful were to be found among the military-government officers.

The officers assigned to military government from combat units after V-E Day naturally could not be expected to have the civilian experience and the military-government training which characterized the military-government specialist officers. In most cases, they were given a week or two of orientation in military-government duties in the ETO, though at higher headquarters a number came directly from other assignments without any instruction in the nature of the military-government program. Some of these non-specialist officers actually did a very good job in military government, but for the most part they lacked both expert knowledge and keen interest.

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If one were favorably impressed with the technical training and seriousness of the military government specialist officers, the same could unfortunately not always be said of the higher brass. The stress during the early months of the war was naturally on combat activities, with the result that the abler generals and full colonels were usually assigned to such military units. After V-E Day, an increasing number of high-ranking officers became available for military-government duties, and large numbers sought eagerly to receive such assignments in the ETO. However, with few exceptions, these officers had fragmentary and vague knowledge of military government, though because of their rank they took over the key positions, especially in the planning and staff agencies. Some were anxious to learn all they could about the job to be done, but many ignored what had been achieved over a period of more than a year and exerted very little effort to acquire a full knowledge of the problem. The fact that there was a disposition to assign three or four of these officers to a single actual job to be done, and the rapid turnover in their assignments, added to the complications.

It was the expectation that the ASTP would furnish most of the enlisted personnel needed in military government. Certainly the work to be done by enlisted men called for a knowledge of the language of the country and for as much familiarity with the country's institutions as possible. But the men who were trained in the United States in the ASTP somehow never reached the military-government units in the ETO in anything like adequate numbers. In the German Country Unit and the US Group CC for Germany (later OMGGUS), where such specialized training on the part of enlisted personnel was especially important, it was usually necessary to take any men that the replacement depots would deign to furnish—at one period, only psychoneurotics were available.

With a natural interest in effective organization and a strong belief in the principle that an organization should be designed to fit the job to be done, a political scientist in the ETO could not escape disappointment at the somewhat reverse emphasis. No political scientist in the United States with any experience ignores the personal factor in government. At the same time, he would rarely advocate the building of an important administrative organization of more than temporary character on the individuals who seek the key positions. The German Country Unit was or-

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ganized to parallel the German governmental structure, and though it gave less attention to some subdivisions than was warranted, the basic plan was reasonably sound. But the US Group, Control Council for Germany (OMGGUS), G-5 of SHAEF, G-5 of USFET, and the military government staffs of the Army Groups and Armies frequently more or less ignored the work to be performed and built their organizations around influential officers. The US Group CC for Germany and G-5 of SHAEF started out without any provision for dealing with the most important problems of German regional and local government and civil service. Though responsible for separate German ministries of great importance, the education and religious affairs subdivisions of the US Group CC and G-5 of SHAEF were never given more than nominal recognition and usually found themselves mere appendages of other less important subdivisions dealing with communications, public health, and the like.

The general result of placing greater emphasis on personal factors than the work program was that it not only was difficult for these agencies to plan effectively for the administration of Germany, but it was not easy to collaborate with one another because of divergent structures. Another serious consequence of basing organization on men rather than work to be done was lack of stability. With high brass coming and going, the organization tended to change frequently. Thus in the US Group CC for Germany (OMGGUS) there was, to begin with, no subdivision dealing with regional and local government and civil service. When such a subdivision was finally authorized, it was first placed under a functional division known as Internal Affairs and Communications. A little later it was made a separate functional division to make a place for a general who had arrived. After a few months, the general departed and this subdivision was abolished as a separate division and combined with communications. And after a period of marking time, it was reëstablished as a ranking division.

The problem of organization was made more difficult by the insistence until several months after V-E Day that military government operate through regular command channels. The British realized the necessity of integrating military government with the tactical military units, but they also appreciated the importance of having separate military-government channels of communications. Thus in their military-government manuals they provided

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that military government organizations at the various levels should have direct channels of communication with each other. It was hoped by many American military-government officers that a similar provision might be made by the United States, and some of the early planning was done on this basis. However, much discussion finally resulted in a decision that military government must operate entirely through regular command channels. During the combat phase, there was doubtless substantial justification for such a policy, since it was essential that military-government activities be intimately related to combat operations. On the other hand, such a system made any effective supervision of military government from higher levels exceedingly difficult if not impossible. Under this arrangement, G-5 of SHAEF had no direct relations with military-government sections of Army Groups, to say nothing of Armies and field detachments, since it was required to proceed through the regular tactical command channels. Similarly, G-5 of the Army Groups had to establish any contact they had with G-5 of Armies through the commanding generals of the Armies.

After V-E Day, this cumbersome system became more and more of an intolerable burden, leading to decentralization rather than centralization of military government. The deputy military governor for Germany early recognized the weakness and urged the Army Group and Army commanders to permit direct technical channels for military government at the earliest possible moment. But the matter was left to the discretion of the latter, and their psychology was not such as to permit direct channels in military government in any large measure. It was not until the end of 1945 that pressure compelled the institution of a system of direct military-government channels of communication, and in the meantime much effort had been lost in attempting to establish some unity in military-government despite the heavy burden of having to do everything through regular military channels.

The task of deciding what is to be done is usually a difficult one in the case of any public agency, or indeed in the case of individuals. Hence it is not exactly surprising that military government encountered considerable difficulty in laying out its objectives and then in deciding what should be done to meet them. During the combat phase before V-E Day, this did not represent a serious problem in the case of the military-government detach-

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ments, since they were covered by the emphatic directive to assist the combat units in every possible manner. But even before V-E Day the planning units were confronted by the problem, because it was obvious that the plans to be drafted depended on the objectives aimed at not only during the combat phase but, to some extent at least, during the entire period of military government. In the case of the missions to the liberated countries, the situation was fairly simple, because it was intended to return responsibility to the governments of the countries involved as soon as appeared feasible. However, in the case of Germany it was quite a different matter.

Under our system of government, basic policies are, of course, laid down by the President and Congress. Yet both the President and Congress were so absorbed in the problems arising out of the immediate defeat of the German armed forces that they could find little or no time to give to military-government policies for Germany. The War Department and the State Department were unable to furnish basic directives or policy decisions to the ETO concerning military government because they waited on the President. The result was that the planning agencies in the ETO were forced for many months to proceed without guidance from Washington. Then, as policies were laid down in the meetings of the Big Three, they tended to be negative in character and somewhat incomplete. As interpreted by the Joint Chiefs of Staff in their directives to the ETO, they became even more difficult to implement, because they did not always agree with British, Russian, and French interpretations.

The whole matter of objectives was further complicated by the difference of opinion as to how long the occupation would last, and particularly how long military government would function. There were those who wanted to base their planning on a period of twenty-five to fifty years; others thought of ten or fifteen years; another very sizable group could not be interested in any period of more than a few months. With no official policy on the subject, and very little if anything in the way of indication of what such a policy might eventually be, it was up to the individual to make his own prediction.

Some of those who contemplated a reasonably extended occupation focused their attention on the problem of the integration of Germany into the United Nations, stressing the importance

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of building up a democratic system that could weather the storms of economic and political adversity that would rage sometime in the future. These officers displayed much interest in destroying the Prussian dominance and often devoted a great deal of attention to plans for the substitution of a federal system of government for the recently existing highly centralized structure. Emphasis was placed on the restoration of local freedom to deal with such matters as public works, recreation, and certain aspects of education.

Others who envisioned a lengthy Allied occupation saw no hope of making Germany a responsible member of the United Nations. Consequently, they advocated plans which called for such drastic weakening of the economic and political systems in Germany that the German people would have no energy to expend on anything other than bare existence. While these American representatives were quite clear in their deep suspicion of the German capacity to govern themselves and to refrain from foreign aggression, they were far less certain as to how to develop, and especially to maintain, the necessary weakness in the German people. Some professed to believe that the establishment of an agricultural economy would take care of the future. Others contemplated a sort of permanent penal colony for the Germans, with perpetual Allied responsibility as jailors.

It is probable that the majority of American military-government personnel in Germany displayed comparatively little interest in more than the current situation and the immediate future. It was difficult to detect any real concern among many of them as to the problem of reconstructing Germany in such a manner that the future would not bring about a repetition of World Wars I and II. Some were so anxious to return to their homes and businesses that they found no time to devote to any other problem, however important. Others had become so disillusioned as a result of their military-government experience that they could not muster sufficient hope to justify any attention to the task of reconstruction of Germany. Perhaps the largest number conceived of military government as very largely, if not entirely, restricted to making emergency repairs on water systems, clearing away the débris from the main streets, and maintaining law and order for the time being. The latter were inclined to be impatient of any planning for the democratization of Germany.

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To a political scientist, the reactions of all of the above groups were worth attention. Of course he could not disguise his own sympathy for those who were attempting to deal with the enormous task of converting Germany from the paths of war to those of peace. The substitution of a federal system of government, with emphasis on local home-rule over such matters as could appropriately be left to such control, for the highly centralized government under the Nazis naturally aroused in him the greatest of interest, despite the recollections of political immaturity on the part of the German people in the past. On the other hand, he viewed with deep misgivings the proposals of those who would seek to restore the old German confederation with its autonomous states, since it seemed quite unlikely that stability could be achieved without a reasonably strong central government. Though he could not smother all admiration for the disciples of Morgenthau who worked so energetically and felt so sure that a sort of perpetual treadmill existence for the German people would prevent future excesses, the relative indifference of the rank and file of American military personnel to over-all problems of the future was a source of deep disappointment. He could not ignore the remarkable record of getting electric current turned on within a few hours of the taking over a city. Nor will he ever forget the sight of war-scarred street cars careening through the narrow chasms amid mountains of ruins within a few weeks of the arrival of military-government officers in certain *Stadtkreise*. At the same time, the question came again and again to his mind as to what difference it made whether electric current was restored today or next week, or as to whether the street cars started running this week or next month, when viewed in connection with the loss of millions of lives, the destruction of incredible amounts of property, and the expenditure of untold billions of dollars for war purposes and the probability of future catastrophes unless the over-all German problem received the wisest handling.

Obviously, basic German problems could not be disposed of within a few days, or indeed a few months, by even the most intelligent attention from military government. As it became apparent that the Russians and the French were not disposed to coöperate in a central German government, at least for the time being, the difficulties confronting military government mounted. Nor could the argument that the strictly military-government phase should be terminated as soon as possible and a civil administration

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set up to assume responsibility be dismissed lightly. But the supplementary argument that the long-range problems belonged to the civil administration, and that military government could meet its obligations by dealing with the immediate problems of details, even long after V-E Day, did not appear sound, since it seemed clear that the success of the civil administration depended so largely on steps taken by the military government organization in the formative period during which it controlled. The primary responsibility for making clear-cut decisions as to what should be done rested with Washington, and the failure of those in high authority to give their attention to the problem might be fairly considered very serious indeed. Nevertheless, with the freedom permitted military government personnel on the spot, it seemed that all responsibility could not be properly shuffled off on Washington.

The experience in the ETO revealed quite clearly the comparative lack of political consciousness on the part of even the carefully selected and technically competent American military government personnel. From the deputy military governor down through the district governors, and on to the rank and file of staff and detachment officers and men, it was not uncommon for problems to be considered with little or no reference to their political implications. The commanding general of the US Group CC for Germany wearied of seeing the numerous streets, parks, and other public places bearing the names of Hitler, Bismarck, Frederick the Great, and other German public figures of the past and, without consulting his staff, issued an order that a directive be drafted forbidding the use, not only of National Socialist names, but of all names associated in German history with nationalism. Snap judgments of this sort were made rather frequently, with little or no reference to political consequences. In order to offset the political immaturity of American military personnel, a Political Division (Office of Political Affairs) was established in the US Group CC (OMGGUS) and staffed by numerous State Department employees. It interested a political scientist to note the corresponding British procedure. The general appreciation of political implications on the part of the British military personnel made it unnecessary to provide a Political Division of the British Element, Control Commission for Germany, until sometime after the United States took action, and then for a considerable period the British staff consisted of not over three officers. When the American set-up in-

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cluded approximately one hundred hard-working political affairs people, the British found it possible to get along quite well with less than one-fifth of that number.

Aside from seeking to maintain law and order, organizing a German governmental structure from the *Gemeinde* up through the *Land* level, setting up a food system that would keep the Germans from actually starving, and making emergency repairs to public utilities and public works, military government probably gave the greatest attention to denazification. Starting out with a general policy of arresting the more important Nazis, the denazification directives became more and more detailed after the great surge of American public opinion developed by the press in its reporting of the first major military-government activities in Aachen. Any political scientist would doubtless recognize the importance of getting rid of dangerous Nazis and meting out punishment to many of the leaders. However, as more and more of the energy of military government, both at the planning and the staff and operational levels, was devoted to the denazification program, a political scientist could not escape concern. Remembering the experience after World War I, when attention was focused on getting rid of the followers of the Kaiser but little care given to the positive task of filling the public positions with those sympathetic to democratic principles, and the scuttling of the ship by these same bureaucrats when the pressure was put on by the Nazis, he wondered whether the same mistake was not being made again. To him, the main job was to fill the various offices and key civil service positions with as strongly democratic and as able persons as could possibly be found. With the Nazi contamination so widespread, it was obviously not an easy assignment to find such persons. Those former public servants who had withstood the Nazis were usually either so advanced in years or psychologically warped as a result of their sufferings, or both, that they offered comparatively little promise. Most of those who had served under the Nazis could provide practical experience, which was always a temptation to harassed military government officers, but they did not augur well for the future. But the mere fact that the problem of recruiting the right kind of personnel was exceedingly difficult constituted no sound basis for more or less ignoring the positive problem and concentrating efforts on the negative task of denazification. Various attempts were made to deal with the constructive aspect, but they appeared as dwarfs alongside of the denazification giant.

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Any political scientist who has observed the operation of a government at home has at least some appreciation of the difficulty of directing the efforts of all branches and agencies of government toward a common goal. Consequently, a political scientist assigned to military government duties in the ETO was not particularly surprised to observe the considerable independence characterizing the various units and levels, not only in military government, but even more in the tactical military establishment. The German Country Unit, which occupied a rather vague position as a special staff of SHAEF, found it difficult to establish working relations with G-5 of SHAEF, though it was highly important that the work of both be coördinated. The US Group CC for Germany expended a considerable amount of energy in attempting, without pronounced success, to maintain the proper relations with G-5 of SHAEF. It is hardly an exaggeration to state that several months of the efforts of both the US Group CC for Germany and G-5 of USFET were more or less neutralized by conflict as to the jurisdiction of the two.

Within individual units, there was something of the same problem. In G-5 of SHAEF, the legal and financial subdivisions felt entitled to commanding influence, to the extent of dictating the policies and plans not only of their own fields but in such matters as regional and local government, civil service, and public safety. Interestingly enough, it seemed easier at times for functional subdivisions to work with corresponding subdivisions in the British Element, Control Commission for Germany, than with other functional subdivisions within the US Group CC for Germany. Coördination offices came into being to attempt the integration of the work of the various subdivisions, but the task was not easy.

Perhaps the most striking cases of independence occurred in the Army Groups and the Armies. It is popularly assumed that a military organization is a very closely knit set-up, with orders proceeding from higher echelon to lower echelon and all personnel carrying them out without deviation. In reality, military organizations are made up of men just as are political organizations, and the result is that, theory or no theory, they operate very much as do other human groups. A theater commanding general usually has the theoretical authority to give explicit orders to his subordinate generals, but it may not be considered expedient to exercise detailed authority. If orders are issued, it is one thing to give the orders and another to have them carried out. Of course they are

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not likely to be ignored openly, but they may somehow or other not result in the action contemplated. This situation is formally recognized to some extent, and the practice has grown up of permitting theater commanders, Army Group commanders, and Army commanders a considerable amount of leeway. In tactical operations, there is doubtless much to be said for this freedom; in military government, there are occasions when local decisions should govern, but in general there would seem to be less justification than in tactical matters. At any rate, this constituted one of the greatest problems of military government in the ETO. Directives issued by the theater commander were redrafted by the Army Groups and the Armies, supposedly with no change in content, but actually often with important modifications. Thus at one time three different denazification policies were being followed by various military government detachments in the American Zone in Germany because of three divergent directives coming from levels below the theater.

The unwillingness on the part of the Army Groups and Armies to surrender their prerogatives had far-reaching manifestations. During a considerable period both before and after V-E Day, it was almost impossible for the US Group CC for Germany and G-5 of SHAEF to ascertain what was going on in the field in military government because the Army Groups and Armies did not furnish adequate information. Representatives from the higher headquarters noted above desired to go to the military-government detachments to offer assistance and to keep informed as to what transpired, but that frequently proved out of the question because the Army Groups and the Armies would not permit them to enter their areas. Of course the planning carried on by the US Group CC for Germany and G-5 of SHAEF required detailed information as to actual field operations, but the subordinate headquarters often did not fully appreciate this fact and felt quite able to manage everything that went on within their areas. Consequently it was most difficult for the higher headquarters not only to exercise their responsibility for general supervision of military government, but even to obtain the necessary information for planning.

Some idea of the significance of Armies in the military-government field can be given by comparing the record of the Third Army in Germany under General Patton with that of the Seventh Army under Lt. General Patch. General Patton probably never had

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a very clear concept of the rôle of military government in modern warfare. Distrusting specialists of any kind and placing great emphasis on personal loyalty, he preferred to use his tactical staff for all purposes, and for a time actually refused to use military-government detachments in Germany. After it became apparent that his tactical officers could not cope with the problems and severe criticism developed, General Patton did permit the military-government detachments to take over various German political subdivisions in his area; but he never got to the point of giving them reasonable support. The result was that the detachments were so interfered with by the tactical units and so lacking in authority that they found it extremely difficult to handle their job effectively. Lt. General Patch, on the other hand, had a very real appreciation of the place of military-government specialists. He made full use of the military-government detachments assigned to him, ordered his tactical units to coöperate, and in general gave a large measure of support. The result was that the detachments in the Seventh Army area naturally achieved very much better results than their counterparts in the Third Army area.

While the formal relations between Washington and the theater were outwardly cordial and visitors from the Civil Affairs Division of the War Department received a welcome from the US Group CC and G-5 of USFET, something of this same independence existed. It was highly important that the Civil Affairs Division in Washington and the theater staff work in the closest of coöperation, since each in no small measure depended upon the other. Yet far-reaching decisions were sometimes taken in Washington without consulting the theater as to the problem of their application, and *vice versa* by the theater staff without discussion with Washington. One of the most striking examples of such aloofness involved the decision taken by G-5 of USFET to effect a complete civilianization of military government personnel in Germany by July 1, 1946. It is apparent that this vitally concerned Washington; yet War Department officials first learned of the decision through the newspapers.

The State Department was late in entering the military-government set-up in the ETO, though it obviously was much concerned with the general program. It was not represented at all in the German Country Unit. It designated political advisers on Germany and Austria to the Supreme Commander of SHAEF, and later to

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the commanding general of USFET, to the district military governors in the American Zone, and to the United States members of the Allied Control Councils for Germany and Austria. A fairly large number of foreign-service officers and foreign-service auxiliary officers were eventually furnished to staff the Political Divisions (Offices of Political Affairs) of the US Groups CC for Germany and Austria. A political scientist was favorably impressed by the calibre of these staffs and by their serious interest. Unfortunately, the ranking State Department representative in Germany, though quite agreeable personally, gave indifferent leadership to this staff, and the lack of an effective internal organization in the division made it difficult for the hard-working and well-informed foreign-service people to exert the influence which they might otherwise have wielded. The cumbersome machinery used by the State Department to furnish auxiliary personnel revealed its weaknesses in a striking manner in the ETO. Despite promises to send to Germany specialists available and waiting in the United States within six weeks at the most, three to six months or more were required to complete the process.

In conclusion, it may be remarked that a political scientist serving in Germany realized as never before the importance of public relations. Handicapped by a cautious Army public-relations policy relating to military government, satisfactory relations with the press were difficult to develop. Perhaps largely because of the lack of experienced reporters, the newspapers sent over newsmen with comparatively little background to write about military government in other than a spot-news fashion. The net result was that the news which came to the United States was frequently inaccurate, rarely comprehensive in scope, and usually and increasingly highly critical. Newspaper readers in the United States, at first avid for news of military-government activities in the ETO, lost interest and for the most part concluded that military government in Germany had failed badly. The achievements, of which there were many, came in for little publicity; the over-all problems, which are about as complicated as could be, received slight attention. Even a political scientist, as accustomed as he may be to popular indifference to public problems in the United States, was not prepared, when he returned home, to find the lack of interest prevailing or the widespread failure to appreciate the bearing of the German problem on the future stability of the world.

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RURAL LOCAL GOVERNMENT

LOCAL GOVERNMENT AND RAINFALL: THE PROBLEM OF LOCAL GOVERNMENT IN THE NORTHERN GREAT PLAINS*

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The westward movement of settlement—into the semi-arid, treeless Great Plains beyond the 100th meridian—carried along with it traditions of local government familiar further east. Settlers organized their new-found lands into the counties, townships, and small school districts to which they were accustomed in the states of their origin.[1] Local-government customs evolved in humid, populous areas were thus transposed to a region destined by weather and other physical conditions to remain a place of sparse population.

Predilections in government organization were fortified by a mistaken supposition that agricultural enterprise could be successfully organized and conducted according to the fashion of the East. The homesteading law generally in effect until 1909 (allowing but 160 acres to a settler) reflected this supposition. Moreover, the rectangular survey, with its gridiron of 36-square-mile sections, constituted a ready-made invitation to organize the congressional township as a governmental unit and to make much the same area the basis for school districts.

Over the years subsequent to the original peopling of this region, circumstance and harsh experience have forced a revision in predominant beliefs concerning its nature and capabilities. Adjustments in agronomic enterprise and population have perforce occurred, often painfully and distressfully. It remains to be seen what adjustments must correspondingly occur in the organization and functioning of local government, for the basic facts of a region must find reflection in the trials, tribulations, and performance of its overlying governmental institutions. The following discussion aims to project the local-government organism of a selected area of the northern Great Plains—southwestern North Dakota—against the backdrop of the economic-physical environment it is designed to serve, and to suggest a few of the peculiar problems involved in adapting local government to this kind of country.

The Missouri Slope Area of North Dakota. This area, located south and

* Opinions expressed in this article are personal, not official.

[1] For a discussion of this phenomenon, see A. B. Goodman, "Westward Movement of Local Government," *Journal of Land and Public Utility Economics* (1944), pp. 20–34.

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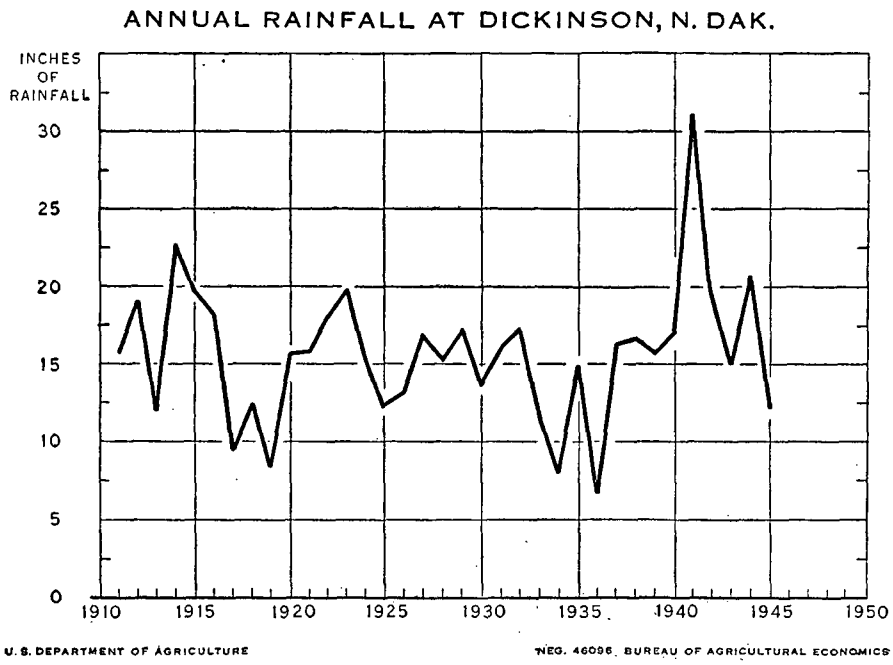
west of the Missouri river and known as the Missouri Slope Area, covers 19,500 square miles, about one-fourth of North Dakota. Land is virtually its sole resource; and its source of livelihood is grazing and agriculture—cattle and wheat.[2] Although much of its soil is inherently fertile, productivity is governed strictly by highly variable weather conditions. With well-timed and adequate rainfall, bumper crops and much beef can be raised, in a terrain adapted to large-scale, mechanized operations. But if



the rain holds back, as it often does, the landscape withers and sears, and colossal failure may result. Witness the dire and much publicized hardship attending the prolonged drought of the thirties, when per capita federal emergency and relief expenditures (1933–39) in this area were four times the national average.[3]

[2] A local census taken in 1935 showed only 535 persons employed in mining and 219 in manufacturing in the 10 counties for which figures are given. *County Reports of Federal Expenditures, March 4, 1933, to June 30, 1939*, Report No. 10, Vol. I, North Dakota (Office of Govt. Reports, 1940, mimeo.).

[3] Statement based on tabulations of expenditures for FERA, WPA, Emergency Crop and Feed loans, Drought Relief loans, Rural Rehabilitation loans and grants, and AAA payments, derived from the following source references: *Security, Work and Relief Policies* (Nat'l Resources Planning Bd., 1942); *County Reports of Federal Expenditures, March 4, 1933, to June 30, 1939*, Report No. 10, Vol. I, North Dakota (Office of Govt. Reports, 1940, mimeo.); and the *Annual Reports* of the AAA and

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Rainfall, though averaging a meager 15 inches annually, fluctuates violently from year to year and from period to period. Such rain as does fall may not come at the right time for crops, or it may come in such torrents as to damage crops, roads, and bridges. It is a high-risk area.[4] The accompanying graph, made from U. S. Weather Bureau reports, illustrates the scantiness and variability of precipitation in this part of North Dakota. The extreme range over the past 35 years was between a low of 6.72 inches in 1936 and an extraordinary high of 31.16 inches in 1941.

In 1890, this area contained less than 9,000 inhabitants; but by 1910 it had become fairly well settled, with a population of about 84,000. By 1930, the figure had reached almost 115,000; but in 1940 it had declined to 103,500, and by 1944 it was down to 86,000. At the fairly late period major settlement occurred (the late 90's and the first decade of the 1900's), a cycle of generally favorable weather conditions had lent credence to the supposition that this could become a land of small farms, thriving on intensive methods of agriculture.[5] Succeeding surges of immigrants came in later periods of good crops. Only gradually and stubbornly has it become commonly recognized that this land is best suited to relatively large farms or ranches, under an extensive sort of farm and ranch management.

The 19,500 square miles of the area are divided into 14 counties and 420 school districts. In addition, 205 organized townships cover part of it. Six of the fourteen counties contain fewer than 3,500 inhabitants. Not counting the two most populous counties (which contain a quarter of the total population), its bulk is served by 12 counties with an average population of little over 5,000 and an average density now less than four per square mile.[6] This population is scattered as well as low; and thus the

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the Farm Credit Administration. The total national outlay was approximately $11,950,000,000, of which some $44,000,000 was spent in the 14 counties of this area, containing less than one-tenth of one per cent of the nation's population. These figures do not include expenditures pursuant to the submarginal land retirement program, under which upwards of 10 per cent of all land purchased was in this area.

[4] For a discussion of the natural hazards of wheat production here, see Ralph E. Ward, "Adjusting Wheat Acreage in the Northern Great Plains," *Journal of Land and Public Utility Economics* (1944), pp. 344–360.

[5] One man who long ago did not share this supposition was Major J. W. Powell, whose acute observations about the West have brought him just posthumous fame. Speaking a word of warning to the 1889 North Dakota constitutional convention, he said: "They will have a series of years when they will have abundant crops; then for two or three years they will have less rainfall, and there will be failure of crops, and disaster will come on thousands of people. . . . There is almost enough rainfall for your purpose. But one year and another you will need a little more than you get."

[6] This density figure includes both urban and rural inhabitants. For rural areas alone, the density is, of course, even less.

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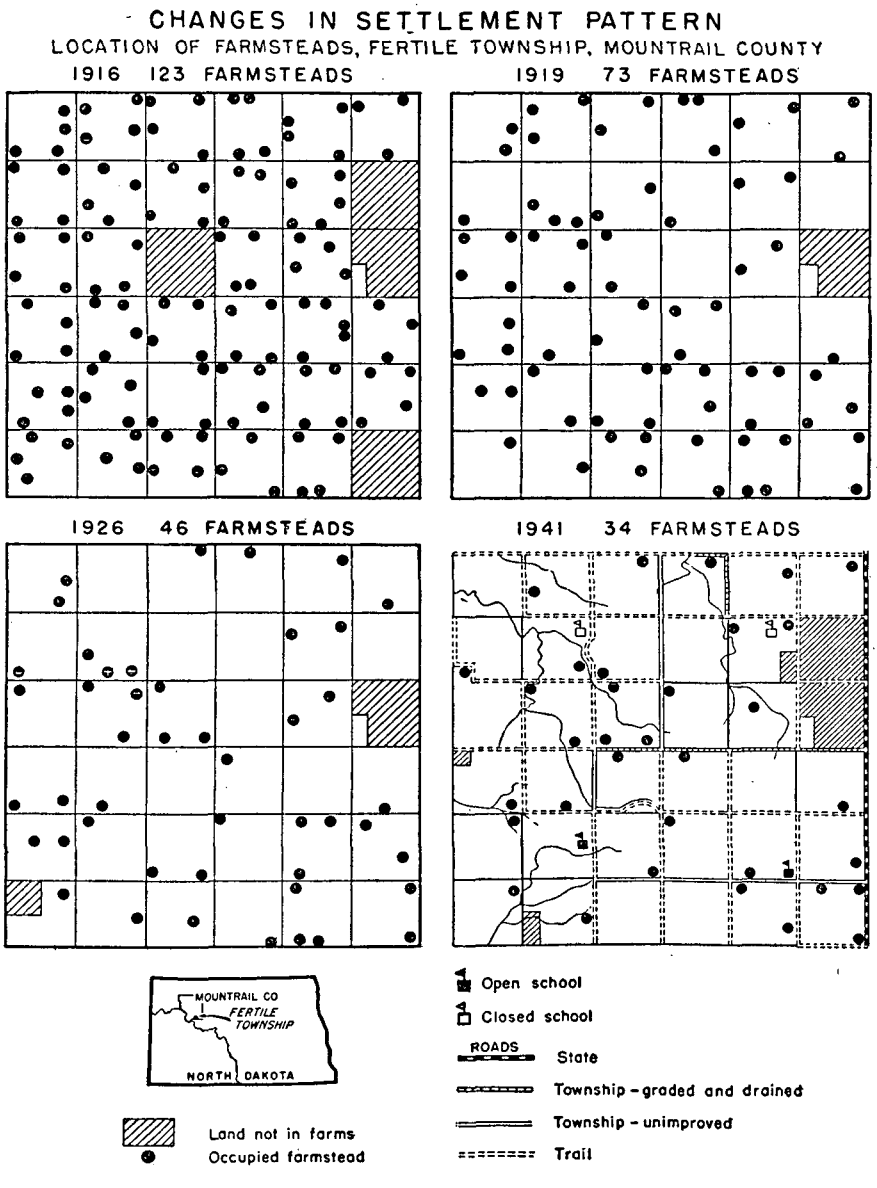
maintenance of an Eastern system of government service is especially difficult.

The homesteads on which this country were settled were coterminous



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with the quarter-sections of the rectangular survey.[7] This meant that a diagram of farms would look like a checkerboard—a symmetrical mosaic of squares. With each farm family domiciled on its own square of land, population was dispersed to a maximum degree. (See diagram.) Since population was not drawn toward communities or along a network of concentrations, the difficulty of an economical layout of schools and roads was but enhanced. For the provision of public road and school services, this is indeed a country of vast distances.

To serve the whole territory, there were 22,000 miles of public roads and trails in 1940—about 3.2 miles for every 10 rural inhabitants. Although a large portion of this mileage has received little or no maintenance, it is nevertheless a heavy superstructure of roadways for a purely agrarian, scantily peopled land. Again, 772 of the schools in the area in 1940 were one-room schools. Of these, 436 served 10 or fewer pupils each. Over two pupils in every five were enrolled in one-room schools in the year 1943–44; and a large share of the remainder were in schools only less small.

The population-distribution difficulty does not diminish with the passage of time. Because farms modeled after the Eastern ideal have proved unsatisfactory, there has been an uninterrupted trend toward the enlargement of farm units, more intense than any similar national trend. Although in 1910, 68 per cent of all farms in the area contained less than 240 acres, by 1940 only 17 per cent were this small; concurrently, the number of farms and ranches over 1,000 acres increased from 394 to 2,300. This trend has apparently continued since 1940. Summary figures issued to date (June, 1946) from the 1945 Census of Agriculture, for ten of the counties, reveal that the average size of farms has jumped more than 22 per cent during the five years since 1940. In effect, rural residents have become more thinly spread out, more difficult to serve with public facilities.

The hazards of making a livelihood have with time shown up not only in enlarged farm units and a marked decline in rural population, but in a monstrous amount of tax delinquency, aggravated by a coincidence of the drought with the general economic depression. By March, 1940, taxes were delinquent one or more years on 69 per cent of the taxable acreage. The counties had taken tax deed to 850,000 acres, and 2,295,000 additional acres had been so long delinquent as to be subject to tax deed—one-fourth the total area. Moreover, 340,000 acres had come into state

[7] Earlier, before 1891, a settler could get up to 480 acres by availing himself of the preëmption, timber culture, and homestead acts; but Congress in 1891 repealed the two former. It was not until 1912, when the great rush of settlement was over and all but the poorest land taken up, that Congress extended to North Dakota the 1909 act providing for 320 (later 640) acre homesteads.

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ownership through foreclosure of School Fund and Bank of North Dakota mortgages.[8] It will be recalled that land is the primary local source of revenue in this country. Collections of general property taxes during the fiscal year ending June 30, 1939, equalled slightly over one-half of the current levy, but approximately one-third of the amount collected consisted of payments on delinquent taxes.[9]

Recent Adjustments. In the dismal 30's, the people and the authorities were, of course, persuaded into especially sober reflections about the future of this land, about needed readjustments, and about public policies within the competence of the various levels of government to provide. Thinking for concrete action proceeded along two main lines—readjustments in the underlying economy and reorganization of the local-government superstructure.

While "natural" processes were operating in an inexorable fashion to bring about economic adjustments, it must be recognized that these processes are harsh and associated with much misery: impoverishment of farm families, foreclosures, tax delinquency, and outright abandonment. Particularly during the thirties, they were associated also with dissipation of the soil. This was especially so in those vast parts of the area that can maintain their productivity only under grazing use, and where economic difficulties have been spotlighted by (a) ill-fated attempts, sometimes by transients, to plow up the range; (b) keen competition for the use, often by trespass, of land not under effective proprietary control of public or absentee owners; and (c) destructive over-grazing.

Encouragement to the blocking out of the range country for controlled grazing use, for the benefit of stable ranch units, was accordingly one of the concerns of public policy. This is the most easily seen illustration of the more general problem of appropriate land-use practices and appropriate size in operating units. Farm and ranch enterprise can make the best of the circumstances of this country only if conducted through units of sufficient acreage to permit practices assuring long-term productivity, to permit some flexibility in operations, and to provide some cushion for withstanding the shocks of erratic weather.

One of the public measures initiated by the New Deal to aid, and to temper the pain of, the economic adjustment process was federal purchase of so-called submarginal lands. This had the object of securing controlled use of land unsuited to tillage, restoring its forage, and managing it in a fashion to stabilize ranch operations. As of 1945, approximately one mil-

[8] By the end of 1940, some 3,000,000 acres of the area were in state and federal ownership. Forty per cent of this had been acquired after 1932, in large part through the submarginal land retirement program.

[9] The acute lack of public revenues resulted in such things as teachers' salaries of $40 a month, seven-month school terms in many districts, and avoidance of jury trials in some places in order to save expense.

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lion acres of such land had been acquired by the government, in four counties. Local governments share in the receipts from these lands (grazing fees), in lieu of taxes; and the Soil Conservation Service, which administers the projects, also assists the local people to rationalize the design of schools, roads, and habitation in the project areas.[9a]

Another measure consisted of a series of state laws. Among these was a 1937 act authorizing coöperative grazing associations. These are voluntary mutual-aid societies of ranchers, to provide for group leasing and control of large bodies of range belonging to the public (such as tax-forfeited land) or to absentee owners; to reconcile conflicting claims of different ranchers to the same land; to establish mutually satisfactory rights to the use of the range; and to police the range with the aim of limiting the amount of grazing to actual carrying capacity from year to year (i.e., to prevent overstocking which results in dangerous depletion of the forage).

As a complementary piece, new departures were made in the handling of tax-forfeited land, especially that most suitable for grazing use. As is well known, the traditional policy for handling tax-forfeited land in the United States has been to sell it off to the highest bidder, to get it back into private hands and "on the tax rolls" by any means. Tax delinquency has been regarded as a purely transitory and accidental circumstance.

From the public finance viewpoint, this is a workable policy when the tax-forfeited property is of a character to appeal to private buyers as a good investment, and when it is actually a sufficiently good investment to yield government the taxes it demands. Under conditions prevailing until after 1940, however, a goodly portion of the tax-forfeited land of the area studied had no appeal for any private purchaser on any terms that would return to the counties even a modest portion of tax arrearages. Not only was it failing to yield any public revenue; often it was abandoned by its former owner, and open to trespass by any third party who cared to use it. Trespassers naturally have no responsibility to refrain from wasteful practices; and thus the land was likely to be rendered less than ever capable of yielding revenue.

The North Dakota legislature, therefore, finally amended the traditional disposal policy by authorizing counties to grant long-term leases to tax-forfeited land.[10] Such leases have been granted especially to grazing

[9a] See 1941 *Annual Report* of the Chief of the Soil Conservation Service. It goes without saying that many other programs not discussed here were also put in operation in this area, such as soil conservation districts, shelter-belt plantings, farm debt adjustment and moratoria, rural rehabilitation and resettlement.

[10] Ch. 237, Laws of 1939, as amended by ch. 296 of 1945. This departure was carried further by ch. 134 of 1941, which empowered the counties to refuse to sell or lease tax-deed lands to the highest bidder when (a) the prospective purchaser or lessee would impair the fertility of the tract or an adjoining tract, or (b) the tract would become part of an operating unit deemed too large or too small, or (c) the value of adjacent county-owned land would be reduced. See Raymond J. Penn and

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associations, under conditions envisaging flexible application and designed to safeguard against exploitation and deterioration. Lease fees have been established at realistic rates which ranchers might expect to pay, and which would yield the local governments revenues in lieu of at least part of taxes uncollectible. This new authority was not calculated to supplant, by any means, the old sale system, but merely to supplement it. A large part of the motive undoubtedly was of a public finance sort, i.e., to give the counties a chance to replenish their ailing exchequers. The measure has, nevertheless, afforded opportunity to promote a more rational and stable organization of the enterprises of some of the area.

Parallel with measures aimed at encouraging some adjustment of the basic agricultural economy, but much less effective, were measures to authorize government reorganization. In line with popular notions, the inspiration was consolidation, centralization, economy. The old township welfare functions were transferred to the county; and townships were authorized to dissolve and transfer their remaining property assessment and road functions to the county. Authority was granted to school districts to consolidate; and new alternatives were provided for counties to do the same. When it transpired that no two counties would agree to consolidate, the legislature further provided that a county might, by its own motion, disorganize and attach itself to an adjoining county, as a sort of ward of the latter. At the same time, counties were enabled to effect internal reorganizations: the so-called "optional forms of government" amendment and law. One of these was the county manager form, and another was the so-called short manager form. Both aimed to reduce the number of county officials, and to reduce the costs of local administration.[11]

But these measures for voluntary local-government reorganization have met with no more success than in other parts of rural America. Despite the stresses and strains they have endured, the citizens of the Missouri Slope Area have not yet chosen to avail themselves of the benefits offered by such legislative enactments.[12] For one thing, there has been a reluctance to tread new paths at the possible expense of the accustomed amenities of local self-direction, especially as the worst of the bad days were passing by the time the laws went into effect.

The Present and the Future. The area has now for several years been

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Morris H. Taylor, *Management of Public Land in North Dakota* (Bulletin 312, N.D. Ag. Exp. Sta., Fargo, 1942); and Morris H. Taylor, "Selective Selling and Leasing of County Land in North Dakota," *Journal of Land and Public Utility Economics* (1943), pp. 238–242.

[11] See E. A. Engelbert, "A Decade of County Government Reorganization in North Dakota," in this REVIEW, June, 1942, pp. 508–515.

[12] A recent act of the legislature aims to compel the poorest of the counties to accept one of the optional forms of government. (Ch. 150, Laws of 1945. Proposed constitutional amendment.)

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enjoying favorable weather, excellent crops, and prosperity.[13] Local government is once more solvent, at least for the time being;[14] and the people are presently free of an immediate urge to institute far-reaching adjustments. But the fundamental problem remains. Nature made the area a highly hazardous one, and hard times can surely be expected again. We cannot comfortably reconcile ourselves to a prospect of recurrent federal subventions, of large proportions, every time the evil days come. Nor is there any realism in proposing to dump the problem into the lap of the state of North Dakota. The Missouri Slope Area is too big a chunk for the rest of a primarily agrarian state to carry; too much of the rest of North Dakota is victim of the same circumstances in which the Missouri Slope Area is caught.

Practicable solutions for government in areas such as this, in an era when good schools, roads, and other public services are considered the birthright of every American, call for thoughtful attention. It is questionable whether merely a rigid application of efficiency-centralization doctrines would suffice to cure local-government maladies in this area. The point is illustrated by a study of the government of the area as of 1940, sponsored by the Bureau of Agricultural Economics and the North Dakota Experiment Station, which had among its purposes to ascertain the savings possible from applying familiar government reorganization recommendations.[15] The conclusion was that the inauguration of large-scale integrations and the most business-like practices would enable local government in the area to operate barely with balanced books at a very low level of public service. With optimistic computations, some savings mainly in administrative overhead were deemed possible; but such savings, al-

[13] In 1945, the 10 counties for which recent Agricultural Census figures are available harvested over 41,280,000 bushels of grain, and had a bovine population of 332,557 head. Compare this with the 1940 figures of 14,280,000 bushels and 167,181 head, respectively, when this area was just beginning its recovery from the bad days of the 1930's.

[14] This is illustrated by the enormous diminution of gross county and school district debt between 1939 and 1945. Over the state as a whole, of which the southwestern quarter is a sensitive reflector, the total has been scaled down from $25.77 millions to $7.05 millions. *North Dakota Taxpayer,* issue of March, 1946 (North Dakota Taxpayers Association, Fargo). Another illustration is found in changes in county ownership of tax-forfeited lands. Recent surveys of the Bureau of Agricultural Economics have gathered figures on this for seven of the counties (Adams, Bowman, Dunn, Grant, Oliver, Sioux, and Stark). Five of these have generally followed a policy of trying to return their land to private owners. In these, county ownership has been reduced since 1940 by 91.5 per cent (from 310,000 to 26,300 acres).

[15] "Local Government in Southwestern North Dakota," by Hansen, Goodman, and Taylor (mimeo., May, 1943, North Dakota Agricultural Experiment Station, Fargo). Pre-1940 figures given in this article, unless otherwise cited, are from this study.

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though helpful, would not be enough to bring about a régime of satisfactory solvency. The public finance problem goes much deeper than the dollars-and-cents efficiency of the local-government apparatus.

It is certain that adjustments in the economic organization of the area—adjustments that have progressed well in the past decade—are a prerequisite to viable local government. It would not be easy to find a region where the circumstances of the underlying economy, conditioned as they are by hard physical facts, are more pointedly visible in the problem of government.

The legislature has made a contribution to economic adjustments by new policies with reference to the handling of tax-forfeited land, and by its grazing association legislation. Tax-forfeited land, particularly, gives the public a convenient weapon to guide use and occupancy, for the government can act with respect to such land in the rôle of owner.[16] But the recent tax-forfeited land statutes still fall short of full exploitation of this device; there are clauses in them looking back to the old system of indiscriminate "return of the property to the tax rolls." Supplementary and complementary measures (as, for example, occupancy zoning) need also to be considered, in the interest of rationalizing the settlement pattern and bringing less instability to the economy.

It must be recognized that, in an area of this kind, every citizen does not have the right to a good publicly-maintained road to his doorstep. Rationalization and long-time planning of the road network must go hand in hand with efforts to draw dispersed settlement in the direction of some sort of community pattern. Moreover, it must be seriously questioned whether doctrinaire impulses for large consolidated schools are applicable in this kind of country. In order that educational opportunities be reasonably accessible to the school population, school buildings evidently will have to remain typically scattered and small; and a development of the potentialities of the small school will be a primary task of educators.

Efforts toward bigness in sparsely populated areas throughout the Great Plains might rather be bent toward the enlargement of the administrative unit. The fragmentation of the Missouri Slope Area into 420 school districts brings glaring disparities in their relative taxable resources. A territorial realignment would broaden the supporting tax base and make outside revenues from railroads and other public utilities available for use in much larger areas. It would likewise help to equalize the rate of taxation, which, in the previously mentioned study, was shown to vary among the taxing areas from a low of 23.2 mills, for all purposes, to a high of

[16] "Tax Delinquency and Tax Title Procedure in North Dakota," by Melville C. Williams and Peter L. Hansen. Unpublished study by U.S.D.A. in coöperation with North Dakota Agric. Experiment Station (Washington, D. C., December, 1940).

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98.56 mills (1938 figures). A variation in tax rates of this magnitude is especially troublesome during years of low agricultural incomes.

Enlargement of administrative units, making for pooling of resources, would allow for the more effective planning of facilities, and for the achieving of greater flexibility in adjusting public services to the needs of the moment. Attendance areas could be redrawn from time to time; and schools could be shifted to or built at the most convenient spots for the changing school population. The layout, maintenance, and abandonment of roads, as well as of schools, could be planned with an eye to maximum efficiency of population distribution and concentration. Policies with respect to disposal of tax-forfeited land, complemented by the judicious exercise of zoning powers, could similarly contribute to the end of avoiding high-cost settlement and harmful land use. Central public guidance operating over areas of sufficient size might, in a word, hasten the development of a rural community pattern on the basis of relatively large farm and ranch units but more clustered habitation.

Because a very fickle rain is ruler of this country, it follows that flexibility is a prime desideratum of governmental as well as of agricultural operations. It may therefore be that a first element in any plan for viable local government would be a foresighted scheme of flexible public finance. The kind of flexibility typical of the past—marked by starvation of public services, widespread delinquency and forfeitures, and near-bankrupt financing expedients—seems too costly and cruel. The manageable limits of public borrowing are too quickly reached.

Perhaps, then, an extension to government of Henry Wallace's ever-normal granary principle would be part of the solution. Thereby, reserves could be built up systematically during prosperous years to help tide public service over the bad years that must inevitably recur; and property tax rates could be readily raised or lowered in keeping with changes in economic conditions. Conceivably, such a plan to avoid the fate of "boom and bust" may be beyond the power of local government unaided to realize. If so, it must be concluded that an erratic local tax base, locally controlled, cannot be expected to carry at all times the primary burden of government in the area, no matter how adequate its long-time yield capacity.

Precisely what changes will actually be made in the local-government set-up cannot as yet be forecast. Over the past fifteen years, economic forces, with some help from federal programs and state legislation, have effected much in adjusting economic enterprise and population to the circumstances of the area. For the limited number of people who can gain a livelihood under prevailing conditions, the economic future of the area may thus seem reasonably assured. But the task of revitalizing governmental institutions, imported *in toto* from another clime, remains.

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FEDERAL EXECUTIVE REORGANIZATION RE-EXAMINED: A SYMPOSIUM, I*

I. BASIC PROBLEMS

WAYNE COY**
The Washington Post

I

We are passing once more through a season of governmental reorganization. The exacting demands made by World War II on our fighting strength, our productive capacity, and our ability to manage effectively our national plant gave rise to an administrative structure of extraordinary size and diversity. Now, as we turn again from victory to the business of operating a peacetime government, we are faced with a dual task. There is the matter of dismantling the wartime machinery of control in an orderly manner. There is also the matter of reshaping our government to meet the vastly enlarged responsibilities, domestic and international, of a new era.

In a very real sense, our domestic and international responsibilities are increasingly intertwined. The national goal of "full employment" entails more than the agreeable prospect of social balance and economic prosperity. It reflects at the same time our determination to demonstrate that the democratic way of life and the creative freedom of enterprise in the Western tradition can satisfy the needs of the twentieth century as well as any other political system, if not better. In turn, our rôle in the international scene must be a consistent expression of the values and aspirations that underlie and motivate our national order. The fundamental premises have to be the same at home and abroad.

The Reorganization Act of 1945 was intended to serve this dual purpose of governmental reconversion from war to peace and of designing an executive structure capable of meeting our postwar problems. The act did not attempt to blaze new trails. In granting the President temporary power to propose specific "plans" subject to the disapproval of Congress, it deliberately borrowed the techniques of working out structural rearrangements from the Reorganization Act of 1939. Fortunately, this time the statutory authority conferred upon the President found its logical counterpart in a reform program addressed to the lawmaking body, the Legislative Re-

* Planned and arranged by Fritz Morstein Marx, Washington, D. C. The complete symposium embraces six articles, but considerations of space require that only three of the number be presented in the present issue. The remaining three will appear in February.

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organization Act of 1946. The readjustments which Congress has initiated within its own house represent a significant step in the direction of strengthening the national legislature for its constitutional rôle.

For a long time, thoughtful students of popular government and alert lawmakers had urged the legislative body to devote attention to the inadequacies of its own organization and working procedures. The Joint Committee on the Organization of Congress—under the leadership of Senator Robert M. La Follette, Jr.—set a landmark in its searching analysis of the structural and procedural handicaps which had impeded the legislative process.[1] Not all of the recommendations of this committee have been enacted, nor were all equally well thought through. But in its most constructive parts the law as adopted goes considerably beyond anything the self-appointed "realists" of yesterday regarded as politically acceptable in the face of institutional inertia and small-minded self-interest.

Inevitably, the Legislative Reorganization Act affects the character of congressional-executive relations. It has introduced into this crucial area novel devices which have an immediate bearing on the position of the President as the responsible head of the nation's administrative establishment. To that extent, the Legislative Reorganization Act has direct relevance for the topic of our symposium.

II

Passage in so quick succession of the Reorganization Act of 1945 and the congressional reform legislation bestows timeliness upon this symposium. Yet the papers here brought together are not meant primarily to furnish a first commentary on either enactment. They are more concerned with the deeper problems that surround all efforts to evolve in the federal government an executive structure best suited to insure responsible direction and unified action in carrying out public policy. From this angle, perhaps the outstanding fact about federal executive reorganization is the change in our approach, and in our expectations about the results we may hope to achieve.

Throughout the twenties, and up into the mid-thirties, the prevailing tendency was to think of executive reorganization in much the same way that many a lawyer thinks of legal change, or many an engineer of technical change—that is, as an end in itself, something of a terminal point to his endeavor, beyond which he need not bother. To put it differently,

[1] Senate Report No. 1011, 79th Cong., 2d Sess., Mar. 4, 1946. The La Follette Committee benefited greatly from the earlier report entitled *The Reorganization of Congress* prepared by the Committee on Congress of the American Political Science Association (Washington, 1945). For an incisive appraisal of these and related documents, see Joseph P. Harris, "The Reorganization of Congress," *Public Administration Review*, Vol. 6 (1946), pp. 267 ff.

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reorganization was a kind of prefabricated affair, looking alike everywhere, issued at the storeroom, and put together with six standard bolts. The most important thing was authority to act.

To be sure, the founding fathers of the administrative-research movement, in the early days of the New York Bureau of Municipal Research, showed astute appreciation of the rich variety of controlling facts to which administrative architecture must be adapted. Somewhere, however, as state and municipal reorganization swept across the country, this legacy of sophistication was lost. It has come back to us only after much discouraging experience with mass production of "correct" organization.

This is not to minimize the measurable—even decisive—managerial advance that occurred in the wake of state and municipal reorganization on a broad front. We did secure growing acknowledgment of the political and administrative gains derived from structural integration under the chief executive; from clarification of directive responsibility; from the development of staff and housekeeping services; and from more effective accountability of the executive branch. With all that, however, the generalship of reorganization too frequently succumbed to the lure of its own doctrine. The outcome was a preoccupation with form—oftentimes no more than a symmetrical chart—which came close to turning into a cult of façade. Certainly, without structure there can be no live organization. But the life of the organization does not spring from structure. And the organizational "facts of life" modify—and may overrule—structure at many points.

What, then, is the change in approach to which I am according so much emphasis? It could probably be described in many ways, but to me the most important element is the maturing awareness of the numerous variables that may reduce technically sound structural design to sheer ornament. These variables range from factors of political climate and popular understanding to institutional resentments and ineffectual utilization of initially unfamiliar arrangements within the administrative system. Moreover, even under conditions of eminently rational organization, the total administrative effort may be so weak as to amount to failure because of a blunted sense of purpose.

Something like that occurred in the first months after Pearl Harbor. We got into World War II just after the overhauling of the federal administrative machinery within the bounds fixed by the Reorganization Act of 1939 had been completed. Yet neither the emerging war agencies nor the old-line establishments were quick to grasp the breath-taking urgency of building up our striking power. In a critical situation without parallel, with every hour counting heavily, government, like the great majority of our people, moved about as if the cherished routines of peacetime operation were as important as the nation's race against time.

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It looked to me in the fateful spring of 1942 as if we might qualify for the dubious fame of being the best organized government that ever lost a war. As I put it at that time: "The 'conversion of government' which we have already achieved has in great measure involved the conversion of formal organization. Agencies have been created and abolished and reorganized. Authorities have been spelled out and delegated and re-delegated. Organization charts have been drafted, redrafted, and redrafted again. The 'machinery' of government has been intensively refurbished for war. But, like all other machinery, it cannot work satisfactorily without men, without the minds of men. The final, successful conversion of government depends upon the conversion of men's minds."[2]

Wartime experience also offers illustrations of the persistence with which factors extraneous to pure administrative theory intrude into organizational planning. To cite merely one example, as our defense effort got under way, the question soon presented itself whether the emerging civilian control functions should be vested in the permanent departments or in agencies set up for this specific purpose. There were technical pros and cons for either alternative. The weightiest consideration, it seemed to me, was essentially political. Establishment of special war agencies promised not only a welcome influx of fresh blood and outside talent, but also a desirable opportunity for drawing into the government both representatives of important interests and exponents of the political opposition. The organizational solution then adopted was dictated in the main, not by administrative arguments in the narrow sense, but by the quest of national unity—a paramount factor in the hour of peril.

Instances of this kind can be compiled from the peacetime operations of government, federal, state, and local, as well as from the wartime record. There is no point in attempting a long enumeration. It is more profitable to indicate the principal lessons that today's administrative planners have drawn from past errors and frustrations. They have come to look with skeptical eyes upon neat paper solutions which may be mere shadows of noble intentions never realized. They are no longer in the habit of treating administrative structure as if it were governed by the laws of physics. They recognize the politics and the sociology of reorganization. In short, they have ceased to be formula-minded.

Instead of simply following a general prescription, the seasoned specialist shows his skill in tracing all the strands of concrete fact and human behavior that are woven into the given administrative situation. Only by penetrating study of the entire range of factors can the foundation be laid for organizational recommendations persuasive enough to withstand converging counter-pressures. In the last analysis, administrative structure is a pattern of coöperative effort. Its tangible expression is the way human

[2] "Teamwork in Washington," *Atlantic Monthly*, Vol. 169 (Apr., 1942), p. 400.

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beings act in the systematic pooling of their energies for the accomplishment of a common purpose.

III

In simplest terms, the most characteristic task of government is the pulling together of diverse and often conflicting interests. Conversely, the most characteristic failing of government is its propensity for division within itself. From this angle, each major unit of governmental organization, under ideal conditions, should always be based upon more than a single predominant interest. But the pressures that emanate from the economic order and the political convenience of dealing with particular problems separately have combined to produce structural arrangements in the executive branch that make it harder rather than easier for government to fulfill its synthesizing rôle.

We need only think of the denial of synthesis that results from the formation of clientele agencies. The Department of Agriculture, the Department of Commerce, and the Department of Labor are perhaps the three most conspicuous manifestations of this tendency, though by no means the only ones. The existence of clientele agencies is a continuing incentive to substitute for broadly defined public policy narrow policies closely linked with particular interests.

Take as a case in point the matter of governmental wage policy. It is clear that the question of wage levels cannot be answered satisfactorily except in the context of wider economic and social considerations. Yet the existing departmental system brings forth an inclination to deal with wage policy in the channels of a single agency—acting as the spokesman of labor in the executive branch. Similarly, governmental concern with restoring and retaining the vitality of small business gravitates toward the Department of Commerce, while a national program of nutrition, notwithstanding its implications for the great mass of consumers, is ordinarily viewed as falling into the jurisdiction of the Department of Agriculture. Clientele agencies tend to carry the contest among interests into the government and weaken the administrative system in its reconciling function.

The divisive drifts in government are furthered also by the high degree of institutional separatism inherent in our scheme of public regulation. Here we have, for reasons we once deemed sufficient, deliberately sought a large measure of functional independence. This has taken the familiar form of a multiplicity of regulatory boards and commissions well-nigh free from executive control. A consistent and reasonably comprehensive policy of regulation is difficult to attain when a great many segments of regulatory power, each with a will of its own, have to be brought on a common denominator.

Again, I am not talking about standards of organizational luxury above

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the plane of practical need. For instance, the legislation passed early in 1946 to insure a high level of employment squarely rests on the assumption that all public policies will be integrated to achieve this end. Considering the actual organization of governmental regulation, we are strongly tempted to move toward any general strategy of production and employment by the roundabout and defective process of adding up the many fragments of regulatory policy, all primarily aimed at limited sets of particular objectives. Of course, in the execution of a unified policy we would have to rely once more on a large assortment of regulatory agencies, none of which is constituted to attend to the generality of a national goal.

Then, too, one must bear in mind that the impact of special interests upon the administrative establishment extends below the departmental level. Generally speaking, the departments are weakest in the continued translation of the drives coming from their component parts—the bureaus, divisions, branches, and sections—into a work plan truly agency-wide. Each bureau is likely to think of itself as a world of its own, filled with a feeling of its own importance, and eager for self-sufficiency. The quest for autonomy typical of these subdivisions is related to the pathology of functional specialization, and functional specialization in turn is tied up with the interest organization of society.

The department head thus is often reduced to the task of precarious arbitration between colliding bureau aims. And despite the progress in building up staff units to give him greater executive strength, facilities on the level of the departmental leadership for bringing about effective assertion of an agency-wide point of view are still under-developed.

All of these conditions conspire to encourage an organizational *status quo* marked by both resilience and diffusion. The ease with which imaginative thought succeeds in evolving a more "logical" administrative structure is therefore at sharp variance with tough realities. That is why it would be a futile gesture to draw up an organizational master plan built on an abstract ideal of administrative soundness. Ever since the mighty labor of the Taft Commission on Economy and Efficiency, we have periodically considered steps toward a better grouping of governmental services in a more consolidated departmental system. Yet it is not surprising that in each instance the proposals that came forth dealt with fairly specific aspects, never with the total problem.

Resistance to more broadly conceived alterations in the administrative structure comes also from the legislative branch, and for several reasons. Lawmakers have read into executive reorganization the threat of presidential ascendancy. Besides, they are impressed with the low potential of popular enthusiasm for matters so technical and obscure. More important, no doubt, is their own stake in lack of organizational unity on the executive side.

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It is, of course, clear to many lawmakers that a more unified administrative structure would make possible more effective executive accountability and legislative control. Such fuller legislative control, however, would necessarily be the function of a relatively cohesive congressional majority rather than of individual committees or even single legislators. Moreover, the power of small groups in Congress over particular departments and bureaus would proportionately decrease if the legislative majority should assert general control over the executive branch as a whole. In the circumstances, one can understand why there is much legislative sentiment in favor of a state of executive organization allowing each prominent lawmaker to exert real influence in those areas of departmental business over which his committee holds sway. In this respect, the prevailing preference on the legislative side is evidence of weak party solidarity. The matter would be different if our parties were so constructed as to allow them actually to control the actions of their members in Congress.

Large-scale reorganization of the executive branch, as a consequence, requires a great deal more than administratively competent planning. Ordinarily, any such effort needs the support of national emergencies serious enough to furnish telling arguments for structural regrouping. By the same token, the general purpose of reorganizations attempted on a broad scale must be made meaningful to the public; endorsement by the exclusive priesthood of administrative planners would not suffice. Just how the complex issues of executive reorganization can be carried to the people is a big question. The President's Committee on Administrative Management, in its report ten years ago, went far toward catching the ear of the public, but the counter-propaganda of "dictatorship" soon had the upper hand.

Finally, successful large-scale reorganization presupposes a favorable administrative reception. The sense of emergency would have to seize the entire executive branch. Only then would innate hesitations toward structural change and autonomy-minded antagonism be brushed aside, and a strong incentive be created for the departmental high command to make the most of the new order of things. Is it strange that in the absence of these environmental supports the span of executive reorganization tends to be proportionately less ambitious?

IV

Much of what has been said thus far suggests the obstructions in the path of any far-reaching attempt at reorganizing the departmental system. I want to stress once more that there will always be historic situations when national necessities, conditions of crisis, and vigorous political leadership enter into an alliance sufficiently strong to overcome all ob-

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stacles. Sometimes such historic situations have passed by without any move toward executive reorganization. This points to the desirability of some kind of an administrative general staff occupying itself with the development of plans for the improvement of governmental structure, to be used if and when the right moment arises. General-staff planning for reorganization must obviously look into the future. The main source of ineffectiveness would lie in lack of vision and uninspired clinging to working assumptions based solely on conditions as they are.

In the light of the marked immobility of the departmental system, it is understandable that in recent years we have paid more attention to coördinating the various parts of the executive branch than to achieving its structural integration. The new outlook was ushered in by the report of the President's Committee on Administrative Management. Its most important effect was a much clearer conception of the rôle of the President as the responsible head of the whole administrative establishment. This brought in view the staff units he needed to live up to his responsibility.

In a sense, structural integration and functional coördination are alternatives. All reorganization aims at raising the level of efficient service throughout the administrative process. This is also the end of coördination. Each alternative calls for more than formalized measures. Just as structure is susceptible of twisting and distortion, so coördination may exist in merely a nominal sense, especially when it is confined to occasional top-level determinations. The President's Committee on Administrative Management pointed out with great clarity that true coördination, being in the nature of a continuing process, must be sustained by the day-by-day work of presidential staff organs.

The charter of any and all presidential staff organs, as the Committee on Administrative Management made plain, is the Constitution itself. I have always found deep meaning in that section of the Constitution which directs the President to "take care that the laws be faithfully executed."[3] In our day, how can he comply with this constitutional mandate without consciously organizing his own business? And organizing his own business comes down to organizing in such a way that big government becomes manageable—manageable not only for the President within the limits of his own ability, but also for the executive branch at large.

During the twentieth century, nearly all Presidents have felt impelled at least to take a look at this question of manageability. Some labored hard at finding a solution. Without intending to minimize their achievements, especially those secured under the Reorganization Act of 1939, I am convinced that no President has ever been in a position to "take care" that the executive branch carried out its assignments. It is equally clear to me, however, that the largest step toward enabling the President to "take

[3] Art. 2, sec. 3.

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care" of the effective operation of the administrative system occurred in 1939, with the establishment of the Executive Office of the President.

In a professional field rich in differences of opinion, it is extraordinary indeed to notice how widespread is the agreement on this particular point. The agreement illuminates the state of executive poverty in which our Presidents had lived until the creation of the Executive Office. The identification of the main concerns into which the work of the Executive Office was divided[4] gave us the first close view of the scope of the President's business at the helm of federal administration.

Of course, the Executive Office as it operates today is different from the tentative blueprint of 1939. The planning function, entrusted to the National Resources Planning Board, fell dormant with the legislative abolition of the Board, at least to the degree that it is not carried along as an integral aspect of the work of the Bureau of the Budget. Budgeting, after all, is one form of planning, and must be buttressed by economic and fiscal analysis and projection.

While the National Resources Planning Board was wiped out by legislative action, the Office of Government Reports lost its standing as a division of the Executive Office by absorption into the information machinery of World War II. The Office for Emergency Management, originally merely an institutional peg on which to hang temporary agencies in case of an emergency, passed through a period of tropical growth during the war. More recently it has come close again to being just a peg.

Most significantly, however, the 1939 version of the Executive Office continues to assert itself notwithstanding the changes that have taken place. The National Resources Planning Board is gone, but its place has been filled in part by the President's Council of Economic Advisers established under the Employment Act of 1946. This is the first instance, I think, of Congress locating a new organ of government expressly in the Executive Office of the President. The Employment Act, on the other hand, gives the appearance of departing from the central idea of the Executive Office by providing that the members of the Economic Council be appointed with the advice and consent of the Senate. It would have been much sounder to rely on the precedent of the Budget and Accounting Act of 1921, under which both the director and the assistant director of the Budget Bureau are chosen by the President without need for senatorial confirmation.

Even in the case of the Office of Government Reports, there is some indication of a return to the original arrangements. With the demise of the Office of War Information, some of its permanent elements, turned over to it with the transfer of the Office of Government Reports, have been pulled back into the Executive Office. The Division of Public Inquiries

[4] Executive Order No. 8248 of Sept. 8, 1939.

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and the Division of Press Intelligence, combined in the Government Information Service, are now parts of the Bureau of the Budget.

V

It is difficult to imagine how wartime government in the executive realm could have functioned in a generally effective manner without the services the President obtained from his Executive Office. Because of the specialized staffs it had managed to build up, the Bureau of the Budget came to operate as the core of the President's managerial machinery.[5] However, notwithstanding its high standard of performance, few observers regard the top staff organization in its present form as wholly adequate to the needs of the chief executive. It is a matter of greatest importance to carry forward the systematic development of the President's Executive Office.

In the first place, as a unified establishment, the Executive Office is still more a myth than a reality. I am not thinking merely of the arrangements necessary to make the new Council of Economic Advisers an integral element of the Executive Office. It is to be hoped that such devices as joint work-planning and joint use of staff by the Economic Council and the Budget Bureau will achieve this end, at least in large part. I am referring rather to the absence of an operative nucleus which would bring together on the highest level the proposals and suggestions coming from the Budget Bureau, the Office of War Mobilization and Reconversion, the Economic Council, the Liaison Office for Personnel Management, and the White House Office itself, as well as those emanating from the line agencies of the government.

Paradoxically, the Office of War Mobilization and Reconversion has never been part of the Executive Office of the President. Viewed from the angle of existing arrangements, however, each head of this war-born agency has been one of the closest advisers to the President. Apparently no decision has thus far been reached about its peacetime status. Under existing legislation, it will go out of business very soon. On the other hand, re-examination of the tasks this office has fulfilled since its establishment in 1943 may be expected to lead to a continuation of its policy-coördinating and "trouble-shooting" functions within the President's Executive Office itself.

The original conception of the Executive Office probably leaned toward the President's rôle in administration rather than toward his political responsibilities. To be sure, the Committee on Administrative Management placed great stress on the President's position as a preëminent leader in the formation of policy. But this committee, quite naturally, gave most of its attention to matters of management. Generally speaking, staff as-

[5] See Fritz Morstein Marx, "The Bureau of the Budget; Its Evolution and Present Rôle," in this REVIEW, Vol. 39 (1945), pp. 653 ff., 869 ff.

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sistance in policy formation has occupied a subordinate place in the working of the Executive Office. The National Resources Planning Board, linked to policy-thinking by the character of its mission, concerned itself in the main with long-range goals, sometimes rather far away from the policy issues calling for immediate settlement. Moreover, the Planning Board was never intended to serve as an organ of policy development over the whole range of national affairs.

One direction, therefore, in which the President's Executive Office should be strengthened is toward continuing analysis of the flow of policy recommendations presented for the President's decision. Equally important is independent examination of such other policy matters as require study in connection with the President's legislative and administrative program. For these purposes, the present internal structure of the Executive Office is not altogether satisfactory. Today, nearly all divisions are drawn into matters of policy as well as matters of administration, the prevailing tendency apparently favoring administrative concerns over policy concerns. Perhaps it would produce a better balance to provide for an internal allocation of functions based on a division between administrative and managerial matters on the one hand and policy planning and program analysis on the other. However, considering the degree of functional correlation that has been attained since 1939 within the Bureau of the Budget, it might well be argued that breaking up this unit to fit its activities into such a dual scheme could prove too high a price to pay. This thought requires particularly careful consideration in view of the fact that the Budget Bureau has grown into the most vital part of the Executive Office.

A division of activities separating administrative and managerial concerns from policy planning and program analysis would not solve all problems. There remains the need for special facilities designed to capture in each particular matter before the President the best thinking available. Indeed, this fusion of thought by which all of the resources at his command are brought to bear upon his business is a foremost function of the Executive Office. It is easy to see how many matters of executive management extend into the fields of policy formulation and program development. The same is true in reverse, in adjusting policy alternatives to the available resources of administrative organization and experience.

Thus it would seem that aside from the two main functions I have mentioned—policy and administration—another unit is required within the Executive Office, vested with responsibility for so coördinating the various lines of staff work that every action-paper reaching the President becomes a dependable end-product of joint analysis from different angles. Looked upon in this way, the organization of the Executive Office would divide itself into three predominant concerns—administrative manage-

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ment; programs and policy; and the blending of both. Presumably the officer to give leadership to this function for the President would be the central figure of the Executive Office—his chief of staff, or executive secretary.[6]

Of course we must bear in mind not only the problems that rise to the President's desk, but also the personalities that come to see him. No President would want to shut himself off from his personal and political friends and his immediate subordinates on the departmental level. It is a troublesome matter, however, to make sure that no one talking business with the President is allowed to carry the President's decision with him when it has not been considered on the staff level. A substantial degree of formalization of the decision-making phase in the relations between the President and the department heads as well as other political appointees is indispensable.

This alone could prevent the too frequent situations where a President discovers too late some unexpected consequence of commitments he has made prematurely on the basis of extemporaneous action. Such consequences can be avoided only by a staff competent to do an objective and analytical job, and a President who knows how to use, and will use, his staff. If staff is not available for this purpose, then much greater efforts must often be put into salvaging something from errors made on the highest level because of inadequate information. It is a costly and humiliating business.

Nor is this all. One must never forget that the President, besides being the chief executive of the federal government, is the head of his party and the political leader to whom the people look most frequently and most eagerly. A good measure of his regular business is party business, and many threads run from party affairs to governmental affairs, especially in his relations with Congress. Moreover, the men and women he appoints to direct the executive departments or the independent regulatory commissions and boards are principally political figures. Although many of them in the course of their career acquire a considerable degree of administrative sense, rare is the department head who appreciates the mechanics of good management on the President's level. In fact, these officials are often persuasive in preventing presidential staff development. Yet without it the President cannot be atop of his administrative job, nor is it possible for him to relate departmental ends to his government-wide objectives.

It is still more important to keep in mind the paramount fact that all government operates essentially on the political rather than the administrative plane. For this reason, staff work in the Executive Office cannot

[6] For substantiating observations, see Paul H. Appleby, "Organizing Around the Head of a Large Federal Department," *Public Administration Review*, Vol. 6 (1946), pp. 207 ff.

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be permitted to isolate itself in its specialized knowledge. It must be geared to the necessity of bringing together more closely the political expert and the administrative expert.

To be sure, the bulk of continuing activities in the Executive Office will tend to fall to professional personnel having permanent status. Yet all staff members, whatever their special line of competence, should possess a good deal of political sense. They should be able to see their current business in relation to the President's political leadership and the particular problems he confronts. In addition to appreciating keenly the arts and skills of statesmanship, they must also show capacity for looking at the problems devolving upon the President in the perspective of the government at large. Irrespective of their particular assignments, they should be selected on the basis of demonstrated aptitude for general-staff work in the civilian context.

In short, when we think of the organic development of the Executive Office of the President, we have to consider not only questions of internal structure but also problems of personal qualification. Each of these must be dealt with in the light of both the President's political rôle and his executive functions. It is obvious that the Executive Office could never attempt to exercise a monopoly of informed counsel. The group of advisers around the President will always be more inclusive and more fluid. But this does not minimize the need for a permanent staff organization effective in checking and cross-checking the upward flow of government business; in submitting ideas and suggestions pushing up to the President to searching analysis so that in each case the whole story is presented to him rather than only part of it; and in steadying the President's program by making its objectives the main criterion by which to judge policy action proposed from below.

Clearly, this is a very delicate assignment. As staff leaders, the key figures in the Executive Office, picked by the President as men having his personal confidence, must not only make the most of the professional talent of their subordinates but also operate with great judgment and great tact. When a man like Jesse Jones in the heyday of his influence drops in at the White House with a sheaf of papers and walks away with the President's signature on each document without anybody's knowledge as to what transpired, routine arrangements for higher clearance will not do by themselves. Whether or not clearance requirements are actually observed will rather depend on the way the key men in the Executive Office handle their working relations with the departmental leadership.

VI

In more than one sense, then, the organic development of the Executive Office of the President is in itself an interesting example of the wide range

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of factors that enter into the problem of reorganization. There are questions of internal structure; of working relationships and routine arrangements for the conduct of executive functions; of qualification and aptitude; and of presidential interest. Greater structural unity and permanence of form, and with it a more appropriate division of labor in the Executive Office, bear closely upon the efficiency of top-staff operations.

To sum up, in the internal grouping of functions more emphasis should be placed on the President's need for assistance in the vast area of policy development and program analysis. This accords with the predominantly political aspects of the presidency. Matters placed on the President's desk should adequately reflect not only a government-wide point of view, but also the contribution of different kinds of staff analysis, especially managerial thinking and policy thinking. Staff leaders in the Executive Office should do their utmost to develop and maintain productive working relations with the President's line subordinates and other political advisers.

It is no less important that the permanent staffs in the Executive Office possess political judgment and special skill in maintaining fruitful contacts with their counterparts on the departmental level. There is an ever-present danger that top-staff activity may be too far removed from both the political and the operating levels of government. In these spheres, formal devices alone cannot be trusted. More significant are intelligently stated staff doctrine, the caliber of the professional teams built up, the resourcefulness and political acumen of staff leadership, and a tradition of orderly executive management appreciated and supported by the President himself.

II. WARTIME CURRENTS AND PEACETIME TRENDS

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I

In the late summer of 1944, nearly a year before the end of the war, President Roosevelt instructed the Budget Director to conduct investigations and to prepare plans for the administrative reorganization of the federal government in order to return it to a peacetime footing. The first War Powers Act of 1941 had granted the President authority to reorganize executive agencies and to reassign functions affecting the prosecution of the war. This act, following the precedent of the Overman Act of World War I, was limited to the emergency period. Six months thereafter, the agencies and functions which had been reorganized by executive order would revert to their former status. Under this power, the President established various war agencies and assigned to them, and to the regular

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departments, emergency functions. Modifications were made frequently to correct weaknesses, and to adjust the wartime organization to rapidly changing requirements. At the end of the war, most of the special war agencies were promptly demobilized or reorganized as a step in liquidating their activities.

As the war drew to a close, the President and his advisers recognized that the reconversion of the administrative organization of the federal government to a peacetime basis could not be entirely accomplished under the war-powers legislation. Many changes within the regular departments which were made during the war and had worked well commended themselves for permanence. Within two weeks after VE Day, President Truman requested Congress to reënact the provisions of the Reorganization Act of 1939 which authorized the President, subject to congressional veto, to carry out administrative reorganizations of continuing effect. The Reorganization Act of 1945 was passed in December, and in May, 1946, the President submitted three reorganization plans to Congress. Of these, two went into effect and a third was set aside by congressional veto. Whether additional plans will be submitted remains to be seen.

II

In 1936, President Roosevelt created a Committee on Administrative Management to study the administration of the executive branch of the federal government and to make recommendations for its improvement. It is appropriate now, ten years later, to examine the developments during this decade; to appraise broadly the results; and to inquire whether the committee recommendations for administrative reorganization are still valid, or to what extent they should be modified in the light of experience. Much has happened since 1936. The country has played a decisive rôle in the greatest war of all times, and has marshalled its resources for the conduct of the war with outstanding success. The death of President Roosevelt has removed from the White House the political leader around whom much of the controversy in 1937–39 raged, and the chief opponents of his administrative proposals within the ranks of his own party supported the Reorganization Act of 1945 when it was before Congress. The federal budget of about seven billions in 1937 has risen—omitting the wartime budgets—to around forty billions for 1947, and evidently will not drop below thirty billions annually. The number of federal civilian employees jumped from around one million prior to the war to over three millions at the peak, and will remain far above the prewar levels. The size and complexity of the government have greatly increased in a brief span of ten years.

The problem of administrative organization and management today is different from what it was in 1936, and unquestionably more im-

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portant. The rôle and functions of the federal government have changed and increased. Major trends and conditions which affect its organization and administration include (1) the greater need for fiscal policy to be coördinated and fitted into the national economy in order to maintain full employment; (2) the international position of the country, which touches upon the programs and activities of practically all federal agencies; (3) the necessity for maintaining a military establishment far larger than during the prewar period; (4) the governmental program for veterans, and important domestic problems growing out of or influenced by the war; and (5) the substantial increase in federal-state-local coöperative relations. With broadened governmental tasks, the need for effective coördination of the policies, programs, and administration of the federal agencies is greater than in prewar days. This is well illustrated in our international relations. Problems such as the extension of credit, foreign loans, food, agriculture, raw materials, aviation, aid to war-devastated areas, or our policy with respect to China, Russia, England, Latin America, or any other part of the world, require the collaboration of numerous agencies. Effective coördination is essential if we are to play the rôle to which we aspire in international affairs. Coördination, in turn, calls for manageable administrative organization.

III

Reorganization of the executive branch was the aim of only one of a number of recommendations made by the President's Committee on Administrative Management in 1937. Of equal, and perhaps even greater, importance were the recommendations (1) that the Budget Bureau be strengthened and developed into a managerial staff agency of the President; (2) that personnel administration be invigorated, and that a single official should replace the Civil Service Commission; (3) that a planning agency be set up under the President; and (4) that his immediate staff be substantially increased. In addition to these recommendations for presidential staff services, the President's Committee proposed (1) that the authority to settle accounts should be removed from the Comptroller-General and placed within the executive branch, thus making the Comptroller-General into an Auditor-General limited to auditing functions; (2) that the civil service be extended "upward, outward, and downward" to cover all employees except a very few "policy-determining" posts; and (3) that salaries paid to department heads, assistant secretaries, and the top civil servants be substantially increased so that the government could compete on more nearly even terms with business and industry for top-grade administrative and professional personnel.

Before reviewing the developments in executive reorganization, it is useful to note briefly what has happened with respect to these recom-

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mendations for the improvement of administrative management. The Budget Bureau has grown into a central staff agency of the President, even beyond the expectations of the President's Committee.[1] This development required no legislation, and did not raise any fundamental question of legislative-executive relationships. It did require greater appropriations, the provision of able and imaginative direction, and the building of a highly competent staff. The evolution of the Budget Bureau since 1939, under the leadership of Harold D. Smith, as a central management agency has been one of the most important administrative developments in recent years.

Improvements have been made in personnel administration, and the civil service has been extended to cover practically all positions in the public service; but the need for more affirmative stewardship through a single director of personnel is as great today as it was in 1937.

A National Resources Planning Board was established by executive order in 1939 to serve as a planning agency in the Executive Office of the President, succeeding the National Resources Committee. After several years of significant achievement in research studies devoted to national resources, and assistance to the executive agencies in the better coördination of their individual plans and programs, the board was abolished by Congress in 1943. For a variety of reasons, it failed to secure the support of the legislature, which repeatedly declined to accord it statutory status. Its abolition was a serious setback to planning in the federal government.[2]

In 1946, Congress passed the Employment Act, providing for a three-member Council of Economic Advisers in the Executive Office of the President.[3] The main function of the council is to assist the President in preparing an annual "economic report" to be submitted to Congress within sixty days of the beginning of each regular session. The act provides that the report shall set forth: "(1) the levels of employment, production, and purchasing power obtaining in the United States and such levels needed to carry out the policy [of the act]; (2) current and foreseeable trends; (3) a review of the economic program of the Federal Government and a review of economic conditions . . . ; and (4) a program for carrying out the policy [of the act]." The act also set up in Congress a Joint Committee on the Economic Report, consisting of seven members from each house, divided between the majority and minority parties. This

[1] See, for instance, Fritz Morstein Marx, "The Bureau of the Budget; Its Evolution and Present Rôle," in this REVIEW, Vol. 39 (1945), pp. 653 ff., 869 ff.; Harold D. Smith, "The Budget as an Instrument of Legislative Control and Executive Management," *Public Administration Review*, Vol. 4 (1944), pp. 181 ff.

[2] See Charles E. Merriam, "The National Resources Planning Board," in this REVIEW, Vol. 38 (1944), pp. 1075 ff.

[3] Public Law No. 304, 79th Cong., 2d Sess.

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committee does not have legislative functions, but is to receive and study the economic report and supplementary reports, to make continuing studies, and to make recommendations to the House and the Senate for the guidance of the legislative committees.

The Economic Council is also charged with analyzing economic trends, appraising various programs and activities of the government and making recommendations on them to the President, and recommending to him national economic policies. It is thus a planning agency with broader functions than the National Resources Planning Board. Moreover, not only was it established by act of Congress, but a special joint committee has been created to receive and act upon reports submitted to Congress by the President. How the Council will actually function is, of course, another matter.

The Executive Office of the President—now comprising the Budget Bureau, the Economic Council, the White House Staff (including six administrative assistants), the Liaison Office for Personnel Management, and the Office for Emergency Management—has equipped the President with staff facilities. To a degree, the office has been institutionalized as the center of presidential direction.[4]

The recommendation of the President's Committee that the Comptroller-General be turned into an Auditor-General encountered strong opposition in Congress; and although approved in separate bills in each House in 1938, no provision of the kind was included in the compromise reorganization bill of 1939. Moreover, the issue has not been revived since, though the basic criticisms of the Comptroller-General's position still apply.

The recommendation that the salaries of top administrative officers be increased did not appeal to members of Congress when initially proposed, and was not written into the reorganization bills of 1937–39. Since that time the liberalization of the federal retirement system has operated to make the highest career positions more attractive, and top career salaries have been raised to $10,000—still far short of the peak rate of $15,000 recommended. With the rise of the cost of living and the marked increase of salaries in business and industry, the federal government has lost many of its ablest administrative officers, who have resigned to accept private positions with much higher pay. President Truman has frequently remarked upon the difficulty of securing and retaining men of first-rate ability for the top jobs in the government career service.

IV

Following the passage of the Reorganization Act in 1939, the President

[4] See Louis Brownlow and Others, "The Executive Office of the President: A Symposium," *Public Administration Review*, Vol. 1 (1941), pp. 101 ff.

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submitted five reorganization plans, making a considerable number of major and minor organizational changes. These have been conveniently summarized in previous articles in this REVIEW and need not be repeated here.[5] The major changes included the creation of three "agencies"—Security, Loans and Works—which were given semi-departmental status, their heads being invited by President Roosevelt to sit in the cabinet. Another important feature was the establishment of the Executive Office of the President. And further significant changes included the transfer of the Farm Credit Administration and the Rural Electrification Administration to the Department of Agriculture; the transfer of the Bureau of Fisheries from the Department of Commerce to the Interior Department and its merger with the Bureau of Biological Survey, which was shifted from the Department of Agriculture to the Interior Department; the transfer of the Bureau of Immigration and Naturalization from the Department of Labor to the Justice Department; and the placing of all government corporations, except the Tennessee Valley Authority, under the supervision of one of the executive departments.

V

When the victories of Hitler in the spring and summer of 1940 awoke the country to the danger it was facing, the President embarked upon a program of military expansion and preparation for war. He requested an initial emergency appropriation of one billion dollars for defense, and before the end of the summer additional requests were sent to Congress, which granted them with little or no question. The President next called for plans not only for building up our military strength, but—equally important—for the increase and conversion of our industrial plant to manufacture munitions and military supplies, and for the economic mobilization of the country in preparation for war. He also activated the Office for Emergency Management in his Executive Office.

A National Defense Advisory Commission was set up under an act of 1916, creating a Council of National Defense and authorizing such a commission. To this commission were appointed the following persons, with assignments as indicated: Industrial Materials, Edward R. Stettinius, Jr.; Industrial Production, William S. Knudsen; Employment, Sidney Hillman; Farm Products, Chester C. Davis; Transportation, Ralph Budd; Price Stabilization, Leon Henderson; and Consumer Protection, Harriet Elliott.[6] The rôle of the members of the Advisory Commission was not

[5] Laurence F. Schmeckebier, "Organization of the Executive Branch of the National Government," in this REVIEW, Vol. 34 (1939), pp. 959 ff.; Vol. 35 (1940), pp. 450 ff., 650 ff., 1043 ff.

[6] See Joseph P. Harris, "The Emergency National Defense Organization," *Public Administration Review*, Vol. 1 (1940), pp. 1 ff.

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clearly defined. In theory, they were individual advisers to the President, to assist in considering the problems of mobilization for defense, in the preparation of plans, and in expediting the development of the defense program. Although expected to exercise only advisory responsibilities, certain members of the commission were soon in the thick of operations. All built up small staffs around them, and shortly several other divisions or offices were established and attached to the commission, including the Coördinator of Defense Purchasing, the Bureau of Research and Statistics, and the Division of State and Local Coöperation. These initial planning and expediting staffs constituted the nucleus of war organizations which were subsequently created as the program moved from the planning stage to the production stage, and the exercise of positive controls became necessary.

The emergency defense organization of the summer and autumn of 1940 was subject to considerable criticism, and became to some extent an issue in the presidential campaign.[7] The President was charged with keeping too much authority in his own hands, and was criticized for not appointing one man to have control. The Industrial Mobilization Plan prepared by an Army-Navy board, which contemplated the immediate outbreak of war, called for the introduction of rigid economic controls and the appointment of an industrial czar. However, the plan did not fit the situation in 1940, and there were thus good reasons for not putting it into effect.

The period from July, 1940, to the summer of 1941 may be regarded essentially as the planning stage. Plans were made; contracts were let; new plants were built; policies with regard to labor, financing plant construction, and taxation were developed; training programs for munitions workers were started; and initial economic controls were imposed. The administrative organization was loosely knit, and the President held the strings to such an extent that he drew upon himself constant censure. His course was warranted, at least to some extent, by delicate relations with Congress, the necessity of securing important legislation, the conflict between labor and capital, and the need to consider each policy decision with respect to its effect on public opinion. The weaknesses of the early defense organization became more apparent as the program developed. Gradually the National Defense Advisory Commission was superseded by special war agencies with definite powers and functions, headed in almost all cases by a single administrator. This came to be the usual pattern.

[7] For this account of wartime experience, the writer has drawn heavily on the excellent forthcoming study, *America at War*, prepared by a special staff of the Budget Bureau. See also the able analysis by Luther Gulick, "War Organization of the Federal Government," in this REVIEW, Vol. 38 (1944), pp. 1166 ff.

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The next period, from the summer of 1941 to October, 1942, was one of production and acceleration, particularly after the outbreak of the war. Tight economic controls became necessary. The successor to the National Defense Advisory Commission, the Office of Production Management, in turn was replaced by the War Production Board. Czars and near czars of rubber, petroleum, hard fuels, transportation, and food were set up, and additional czars were demanded when any part of the program lagged behind.

While industrial production mounted, the armed services were rapidly expanding. At the beginning of 1942, it was recognized that the War Department's basic structure was not adequate for the gigantic task ahead. A fundamental reorganization of the Army into three great services —the most important military reorganization in our history—was accomplished by executive order.

Early in the war, experience indicated the need for some means to coördinate the various czars and wartime control agencies, which were frequently running into head-on collisions. Prices could not be stabilized unless there was a definite policy with respect to wages, agriculture, industrial materials, taxes, loans to industry, allocation of consumers goods, and so on. Each control impinged on other controls. Broad, over-all policies were needed, with an umpire to hear appeals and decide between competing agencies. Repeated efforts were made to bring about the needed coördination. In 1941, the Supply Priorities and Allocations Board was created for this purpose. In January, 1942, when the War Production Board was established, its chairman was authorized to "exercise general direction" over the war procurement and production program and to "determine the policies, plans, procedures, and methods of the several federal departments, establishments, and agencies in respect to war procurement and production." But the powers vested in him were almost immediately challenged by the government agencies concerned, led by the War Department. The effectiveness of WPB as a coördinating agency was thus quite limited.

As the battle against the rising threat of inflation became a major issue in 1942, better means for coördinating agency policies became imperative. Not only the Office of Price Administration, but also the Department of Agriculture, the War Food Administration, the Treasury, the Reconstruction Finance Corporation, the War Labor Board, WPB, and the Army and Navy exercised important powers affecting prices; none of them could hold the line alone, or exercise its powers intelligently and effectively except in relation to an over-all stabilization policy.

To assist the President in coördinating the government's activities on the economic front, and in response to increasing pressure from Congress for an "Assistant President," an Office of Economic Stabilization

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was established in October, 1942. Mr. Justice Byrnes resigned from the Supreme Court to accept the directorship. As such, he was "to stabilize the national economy, to maintain and increase production, and to aid in the effective prosecution of the war," having power to issue directives on policy to all federal agencies concerned. Certain decisions of the regulatory agencies required his approval. For example, he had to approve any wage increase granted by the War Labor Board which in the judgment of OPA or WPB would make necessary an increase in prices.

It was soon evident that the job of coördinating the federal agencies extended a good deal beyond decisions affecting wages and prices. As war production increased, serious shortages of raw materials, manpower, transportation, and industrial facilities appeared. More powers were given to the several czars to enable them to achieve their individual goals, with the result that they and other agencies competed for goods. Moreover, allocation of resources involved more than might appear on the surface. It involved the broad strategy for the conduct of the war, our relations with our allies and with neutrals, the maintenance of the civilian morale and economy, and the resolution of contests between the military services and various civilian claimants. To meet this need for coördination on all aspects of production for war and the civilian economy, the President in May, 1943, established the Office of War Mobilization and elevated Mr. Byrnes to the post of director. The director was authorized: "(a) to develop unified programs and to establish policies for the maximum use of the nation's natural and industrial resources for military and civilian needs; (b) to unify the activities of federal agencies and departments and to resolve and determine controversies between such agencies or departments; and (c) to issue such directives on policy or operations to the federal agencies and departments as may be necessary."

In 1944, Congress placed OWM, renamed the Office of War Mobilization and Reconversion, on a statutory basis, granting its director, subject to the direction of the President, broad powers over all federal agencies with respect to reconversion. The act authorized the director to prepare plans, issue orders and directives, and recommend legislation to Congress. He was to report to Congress as well as to the President.[8] As Louis Brownlow has pointed out, this is the first time that Congress has ever created by statute a "subpresidential, supradepartmental administrator with authority (so far as transition and reconversion are concerned) over all departments, independent establishments, and agencies in the executive branch of the government," and with powers in some respects broader than granted to the President himself.[9] Through this act, Congress at-

[8] Public Law No. 395, 78th Cong., 2d Sess.

[9] "Reconversion of the Federal Administrative Machinery from War to Peace," *Public Administration Review*, Vol. 4 (1944), p. 316.

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tempted to participate in administration and curtail the authority of the President by vesting essentially executive functions and powers in one of his assistants. The result was an impairment of the effectiveness of the Office, and it has not played the important rôle in reconversion envisaged by Congress.

The following observations may be offered about the war experience in the administrative organization of the federal government:

1. The Bureau of the Budget occupied a significant place as a staff agency of the President, assisting him in formulating plans and programs, in performing the staff work involved in organizational adjustments, and in attaining coördination of the many wartime activities.

2. The Office for Emergency Management served as a "holding company" for the various emergency offices which were set up prior to the outbreak of the war, and thus permitted the President to act without delay.

3. The war organization was changed frequently as programs and problems changed, and as experience indicated weaknesses. Throughout the period, organization was forced by events rather than anticipated them. Many mistakes were made and widely criticized. Gradually defects were corrected, and, on the whole, the machine worked surprisingly well.

4. As the war progressed, increasing economic controls became necessary, and the number and authority of war agencies and czars were increased. Because of the growing need for effective coördination, and the mounting pressure for an "Assistant President," special coördinating machinery under the President was provided.

5. The rôle which Congress played in shaping the wartime administrative organization was slight. Only OPA, the Smaller War Plants Corporation, the Office of War Mobilization and Reconversion, and one or two others were set up by statute. Because of the rapidly moving scene, organization by executive order provided the flexibility essential for adjustment and correction of weaknesses as they appeared. The most important influence of Congress resulted from its power of investigation. Special committees, particularly the Truman Committee, aided materially in the prosecution of the war.

VI

In his message to Congress requesting the adoption of a peacetime reorganization act, President Truman specifically referred to the model of the 1939 Reorganization Act. This act had authorized the President to submit to Congress reorganization plans which, after sixty days, would go into effect unless Congress, by concurrent resolution, set a plan aside. The President recommended the following changes from the 1939 act: (1) the authority should apply alike to all executive agencies; (2) it should

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be granted on a permanent rather than a temporary basis; and (3) "the legislation should be sufficiently broad and flexible to permit any form of organizational adjustment, large or small, for which necessity may arise." The message praised the 1939 legislation as providing a suitable means whereby Congress and the President could coöperate in bringing about needed changes.

The hearings before the House and Senate committees contributed little to an understanding of the principal problems. The only opposing testimony came from individual agencies and their clienteles in quest of exemption. The measure reported out by the Senate Judiciary Committee did not follow the act of 1939 in one important regard: provision was made that either house might by simple resolution set aside a plan submitted by the President. The Reorganization Act of 1932 had contained this provision, and after the 1932 election all the orders submitted by President Hoover were disapproved by the House without much discussion or consideration. The 1945 bill, however, was amended to require a concurrent resolution adopted by both houses to set aside a reorganization plan. Senator Byrd of Virginia, who had led the Democratic opposition to the act of 1939, offered the amendment and stated in its defense that "strong presidential leadership" is essential to any effective reorganization. The conservative Democrats who had opposed the 1939 legislation supported the reorganization bill.

Debate in House and Senate centered largely on the constitutional issue seen in the delegation to the President of the power to submit reorganization plans which would become effective unless disapproved by concurrent resolution. It was asserted by opponents that executive reorganization is a legislative function which Congress may not constitutionally delegate. The old clichés of dictatorship were trotted out again. On one point all were agreed: the need for action. Speakers on both sides characteristically prefaced their remarks by stating that they were strongly in favor of reorganization, but the debates revealed little real understanding of the subject as a whole. Most speakers regarded reorganization as a device to reduce the number of public employees, to abolish "useless" agencies and functions, and to bring about substantial economies. The use of executive reorganization as a means of securing more efficient administration, of achieving more effective coördination of policies and programs, and of making the administrative structure of the government more manageable by reducing the number of agencies reporting to the President, was hardly recognized.

The Republican opposition offered amendments to require affirmative action by both houses before a reorganization plan would become effective. Since the President has general authority under the Constitution to make recommendations to Congress, the effect of such an amendment, had it

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been adopted, would have been to nullify the intent of the legislation, and thus to defeat any possibility of effective reorganization. Mr. Martin, the Republican leader of the House, secured the adoption of a provision expressing "the expectation of the Congress" that the reorganization measures will accomplish an over-all reduction of 25 per cent of the administrative expenses of the agencies concerned. An amendment was offered and accepted by Mr. Martin to raise the "expectation" to 50 per cent, but was lost by a narrow vote. The economy provision, though advocated not as a standard or mandatory requirement but as a "hope," was later to be used as an argument against every plan submitted by the President, and doubtless was designed for that purpose.

As finally agreed to in conference,[10] the act follows the law of 1939, but with the following significant changes: (1) The list of exempted agencies was shortened from twenty-one in 1939 to twelve. (2) It was stated, as indicated above, as "the expectation" of Congress that a reduction of at least 25 per cent of the over-all administrative costs of the agencies affected would be accomplished. (3) No salary in excess of $10,000 annually might be paid to any official established in a reorganization plan, and all appointments not under civil service should be by the President, by and with the consent of the Senate. (4) No reorganization plan might impose, "in connection with the exercise of any quasi-judicial or quasi-legislative function possessed by an independent agency, any greater limitation upon the exercise of independent judgment and discretion, to the full extent authorized by law, than existed prior to the taking effect of such reorganization."[11] This last was a compromise provision written in by the conference committee as a substitute for a section in the Senate bill which would have prohibited any reorganization of quasi-judicial agencies.[12]

In May, 1946, the President submitted to Congress three reorganization plans, including some twenty-eight organizational changes. The most important provision of Plan No. 1 was the establishment on a permanent basis of the National Housing Agency (which had been created in 1942 under the War Powers Act), placing under a single administration the Federal Housing Administration, the Federal Home Loan Bank Board, the Federal Savings and Loan Insurance Corporation, the Home Owners Loan Corporation, and the United States Housing Authority. Plan No. 2 dealt with the Federal Security Agency, to which were transferred the Employees Compensation Commission and the welfare functions of the Children's Bureau. The Social Security Board and the Employees Com-

[10] Public Law No. 263, 79th Cong., 1st Sess.

[11] Sec. 5(a), par. 6.

[12] In the subsequent debates on the President's reorganization plans, it was freely alleged by several members of the House, citing this provision, that Congress did not want the President to touch independent, bipartisan agencies.

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pensation Commission were abolished. As part of a number of other changes, the Board of Vocational Education was abolished and its functions transferred to the Office of Education. Plan No. 3 provided various changes in several departments, including the transfer of the functions of the former Bureau of Marine Inspection and Navigation to the Coast Guard, where they had been exercised during the war.

All three plans were disapproved by the House by large majorities, but in the Senate the leaders of the majority party were able to muster sufficient support to sustain the second and third plans, which therefore became effective. The consolidation of the several housing agencies into a single administration, though in effect since 1942, was strongly opposed by private housing and investment groups, including the savings and loan organizations, and associations of bankers, building contractors, real estate boards, and similar groups. The opponents maintained that the credit and insurance activities in the housing field were wholly different from the public-housing activities, and that to put them together would be to "mix oil and water." They vigorously objected to continuing the Federal Housing Administration and the Federal Home Loan Bank Board under a national housing agency, which they assumed would be headed by a person in favor of public housing. The supporters of the plan maintained that the National Housing Agency had worked well for four years; that it had brought about a rationalized and coördinated housing program in the place of numerous competing programs and the confusion which formerly obtained; and that there was no evidence that the administrator was biased in favor of either public or private housing.

Several other features of the plans were also attacked in the hearings. The maritime unions opposed the abolition of the Bureau of Marine Inspection and Navigation and the transfer of its functions to the Coast Guard—though in effect since 1942 under the War Powers Act—on the ground that the Coast Guard was dominated by military-minded personnel, while the old Bureau of Marine Inspection was manned by persons with civilian sea experience. The abolition of the Employees Compensation Commission was strongly opposed by various organizations of public employees and the American Federation of Labor. The opposition to the plans appeared to carry more weight with members of the House than the supporting testimony, for all three plans were reported adversely by the House Committee on Expenditures of the Executive Departments, with only Mr. Randolph of West Virginia dissenting.

VII

The record of the last ten years in the field of executive reorganization confirms the thesis that Congress cannot do the job by the ordinary processes of legislation. The wartime experience, with the President able

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to reorganize the administrative establishment by executive order, without restriction or limitation, is significant. The freedom of the President to create war agencies to carry on functions authorized by legislation, to revise or abolish them as need indicated, to shift functions, and to adjust the administrative organization of the regular agencies, was essential to effective mobilization for war. No one would seriously contend that Congress could have done the job better. In granting authority to the President to reorganize the war agencies and activities, however, Congress did not give up its power to legislate on the subject, which it exercised on several occasions.

The procedure incorporated in the Reorganization Act of 1939, whereby the President is authorized to prepare reorganization plans—not executive orders—and submit them to Congress, where they may be vetoed within sixty days by concurrent resolution of both houses,[13] has much to commend it as a suitable method for effecting executive reorganization in peacetime. The veto by Congress in 1946 of one of the plans submitted by the President, and the action of the House in disapproving all three plans, apparently because of the opposition of interest groups, illustrate both the real control retained by Congress and the difficulty in reorganizing agencies over the opposition of their clienteles.

What have been the results of the executive reorganizations which have been made under statutory authority granted four times since 1933? It was frequently asserted in the congressional debates that little use has been made of this authority, and that little change and few or no economies have been achieved. Actually, the number of agencies abolished or of functions transferred from 1933 to 1945—in practically all cases by executive action—totals over 300.[14] To appraise the results adequately would require individual examination of the changes. Without attempting such a detailed examination, however, some general conclusions or observations may be offered.

In only a few cases has there been any substantial criticism or opposition to the changes made by the President. These objections have uniformly been raised while the plan was pending, and came either from the chief officials of the agencies concerned or—more frequently—from their clienteles. Their fears and criticisms apparently have been largely unfounded, and usually disappeared after the change went into effect, especially when interested officials and their clienteles discovered that no harm ensued. If one may judge by the general acceptance of organizational changes after

[13] See John D. Millett and Lindsay Rogers, "The Legislative Veto and the Reorganization Act of 1939," *Public Administration Review*, Vol. 1 (1940), pp. 176 ff.

[14] See *United States Government Manual*, 1945, Appendix A, pp. 590–622; also Committee on the Judiciary of the Senate, Report No. 638 to accompany S. 1120, 79th Cong., 1st Sess., 1945.

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they had been put into effect, the absence of any substantial criticism of the results, and the fact that in only one or two cases has Congress seriously contemplated undoing an administrative change, it would appear that the reorganizations have been quite successful.

On the other hand, no substantial reductions in the cost of government have been accomplished through administrative reorganizations. The expenditures for some activities actually increased. The social-security and public-health programs, for example, were enlarged after they were transferred to the new Federal Security Agency—with a corresponding increase in expenditures. A careful investigation would doubtless indicate that marked economies have been achieved in some cases, but the amount of savings would be very small in comparison with the total federal budget. Budget Director Harold D. Smith pointed out in his legislative testimony on the reorganization plans of 1946 that the administrative costs of all of the departments, aside from the War and Navy Departments, amounted to only $2.3 billions out of a total federal budget of around $40 billions.[15] Obviously, the reductions of administrative costs through reorganization will not materially affect the total cost of government.

The economies to be achieved by sound administrative organization are not limited, however, as commonly supposed, to the reduction of administrative costs. Of far greater importance in savings is the effect of organization on the development of consistent, well-considered, balanced programs and policies. When several separate and independent governmental agencies operating in the same field carry on conflicting and duplicating programs, the waste to the government is very real and may be very great. The true economies to be attained through reorganization lie in the establishment of an administrative structure which will facilitate coherent and coördinated policies and programs.

It is curious that this elementary consideration has been so generally overlooked. Many illustrations could be cited. When the farm credit agencies were consolidated in 1933, the savings to the government through the development of sound policies and consistent programs were doubtless many times greater than the administrative costs of the previously independent agencies. Similarly, the consolidation of the housing agencies under a single administration led to tangible economies and enabled the government to meet the crisis of wartime housing. No one would contend that the consolidation under the Veterans Administration of the several agencies providing services to veterans failed to achieve real economies, though expenditures went up with the expansion of the program.

[15] Senate Committee on the Judiciary, Hearings on S. Con. Res. Nos. 64, 65, 66 79th Cong., 2d Sess., p. 32.

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Had the War and Navy Departments prior to World War II been merged into a single department of national defense, as is now proposed, it is quite possible that billions of dollars less would have been required to conduct the war.

The fears of those who opposed the granting of authority to the President to reorganize the federal agencies, subject to the veto of Congress, have been proved groundless. No reorganization made by him has adversely affected the power of Congress over the executive branch. Congress continues to exercise the same control over substantive policies, and when the federal agencies are better coördinated, it is better able to do its job of reviewing their work and enacting needed legislation. The power of Congress to exercise control over the expenditures of the government and to review administrative operations and policies incident to passing on the budget has not been lessened but intensified by administrative reorganization. In addition, the effectiveness of the President as chief executive has been increased, for he has been enabled to take corrective action to resolve administrative conflicts or secure needed organizational changes.

VIII

For reasons stated earlier, executive reorganization of the federal government will assume in the future even greater importance and urgency than in the past. Adjustments in organization must be made from time to time to meet changing situations and problems. The present Reorganization Act expires in 1948. It is unlikely that a Democratic President will be able to secure acceptance by a Republican Congress of any further reorganization plans under the act. On such measures there has always been a strong tendency for members of Congress to follow a partisan line.

The issue of executive reorganization will, therefore, probably not become live once more until Congress convenes in 1949, when the President, if he is of the same party as the legislative majority, may want to ask for new reorganization authority. If this occurs, debate in Congress will again turn, as in the past, on the constitutional question whether reorganization of the executive branch is a legislative or executive function, and how much authority Congress should grant the President. It has granted broad authority only during the emergency of war. Experience under the act of 1945 indicates that broader authority or greater congressional support will have to be secured in the future if effective reorganization is to be accomplished.

In debates in Congress on the subject, it has generally been assumed that the reorganization of the executive branch is a legislative function. For this reason, opponents have maintained that it is unconstitutional to delegate the task to the President, while supporters have asserted that it may be delegated under suitable standards. The Supreme Court has not

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spoken on the issue, though a lower court sustained the act of 1932.[16] Throughout its history, Congress has enacted statutes prescribing executive organization, and it has also frequently granted wide discretion to executive officers to determine administrative structure, without feeling called upon to prescribe any standards for the exercise of this discretion. For many years, the Secretary of State has had a free hand in providing for the internal structure of the State Department. Only a few of the bureaus in the Department of Agriculture are prescribed by law, and consequently, with few limitations, the Secretary is able to make internal changes of organization, whenever he believes they are needed. In 1939, a sweeping reorganization of the department was carried out by action of the Secretary.

The internal organization of governmental agencies and bureaus is invariably left to executive discretion. More than half of the bureaus of the federal government have been created by executive action, and are subject to change in the same manner. It would hardly be contended in these cases that Congress has "abdicated" or delegated its legislative function. On the contrary, the grant of full authority to determine internal administrative organization has been due to the recognition by Congress that such determination is essentially executive in character, and that efficient, responsible administration would be hampered by statutory provision. It is seldom wise to place any office or bureau on a statutory pedestal, thus insulating it from effective overhead management and coördination of its activity with those of other agencies.

Administrative organization is dynamic; it must be adjusted constantly to new programs and conditions. Adjustment requires consideration of many subtle factors known only to those intimately acquainted with operating problems. Timing of reorganizations is extremely important. Reasonable stability of structure is an important consideration, but it can be achieved without the excessive rigidity involved in statutory provision. Reorganization of the executive branch, except in its broadest phases, is essentially an executive rather than a legislative function.

The President should be granted continuing authority to make interdepartmental reorganizations, subject to review and veto by Congress, since his changes will frequently alter organization previously established by legislation. Department heads should have authority to reorganize their departments, and to shift functions or activities in the interest of better administration. Bureau chiefs should have similar authority over their bureaus, and so on down the administrative hierarchy. Authority to make organizational adjustments is an essential element of management and should not be denied to executives at any level. Every executive,

[16] Isbrandtsen-Moller Co. v. U. S., 14 Fed. Supp. 407 (1936).

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from the highest to the lowest, if he is to be held responsible for results, must have considerable discretion in organizing the units under him and assigning them their tasks.

III. STAFFING THE PRESIDENCY

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I

If we look back over several decades, we can see that Congress and the President have done a great deal to unify their treatment of the managerial program of the executive branch. Congress no longer lets its members or committees interfere very much in detailed personnel or budgetary matters, but reviews in a comparatively systematic way the President's general management of these affairs. Then, too, the Executive Office of the President was created to carry out the idea that staff agencies not merely should administer restrictive controls, but should help the President put his program into effect.

In dealing with general policy, however, we have made less progress. The reason is partly that the President has not had the tools for the job. It is plain that a chief executive needs institutional help for such managerial work as budgeting or planning or personnel, because it requires special technical skills. It is less easy to show that the President needs in his Executive Office a staff and a procedure by which he can direct his department heads in building up a unified program, and adjust differences between them.

II

In one federal department, the need for such staff work became obvious almost half a century ago, and Secretary of War Elihu Root got the Army General Staff established. In spite of opposition from the several arms and services, the General Staff proved its usefulness. During World War II, the President superimposed on it the Joint Chiefs of Staff. The success of this machinery in directing world-wide strategy—that is to say, military policy and programs—led some of the staff officers to wonder why a similar system of coördination of policy could not be applied to the whole executive branch.

The Joint Chiefs of Staff themselves noted that their system was something like that of the British war cabinet, its committees and subcommittees and the secretariat that served them, and had a study made of the British scheme. Like some columnists and political scientists, some military staff officers began to say that they do these things better in

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England, and to believe that the Uuited States should adopt the parliamentary or cabinet system.

The trouble with this idea, of course, is that the same constitutional and administrative arrangements, on a different social and geographic and political basis, may produce entirely different results. We start in the United States with a people that is not culturally homogeneous; that differs from region to region in the ways it thinks and makes its living; that organizes politically—and socially as well—on a federal basis; and that is loyal, in a litigious sort of way, to a Constitution. We cannot assume that, should we amend the Constitution to abolish one house of Congress and let the other elect a prime minister, we would automatically develop the strong party discipline needed to elect an effective executive and maintain a stable government.

The British cabinet system developed only because the House of Commons unified each of its parties into a responsible group in order to take control of the government away from the king without a revolution. In the United States, by contrast, each party unites mainly to elect the President, and Congress encroaches on the executive branch most effectively on a piecemeal and irresponsible basis.

The President tries to control his department heads, and may even dismiss one now and then for differences over policy. But within the legislative branch it is a different matter. A congressman is his own subordinate. As a member of the Senate, for example, he reviews proposals made to the Senate by some committee, say, on agriculture, of which he is a member. As a member of the Senate, he is one among ninety-six; as a member of the Committee on Agriculture and Forestry, he is one among twenty. And if by seniority he has become chairman, he is boss of the works. For this simple reason, it is hard to get either house to review critically the policies of its committees; and neither house ever thinks of removing a committee chairman for opposing majority policy.

This makes it hard for the President to consult with his department heads and direct their policies in the way—or rather, to the same degree—that a department head may count on the coöperation of his bureau chiefs in developing a common program. If the Secretary of Agriculture, for instance, has a new policy to consider, he must decide whether to discuss it confidentially first with the President or with the chairmen of the committees on agriculture in Congress. The President will probably want to coördinate the proposed policy with those of other departments. The committee chairmen, on the other hand, are likely to sympathize with the Secretary in thinking foremost of agriculture, and to ally themselves with the private groups that are the customers and constituents of his department.

The explosion of the first atomic bomb raised issues that affected every

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department of government. Yet the first bill introduced with the support of the War Department had been drafted secretly for it by a group of private citizens, and was presented to the Congress without going through the usual channels of clearance by the President's Executive Office. The War Department showed the bill to the President personally and to several departments, but not others. Representative Andrew J. May and Senator Edwin C. Johnson, of the military affairs committees, introduced the bill with the intimation that it had top support. But it was soon clear that something was wrong. Other departments and other outside groups began to be heard. The Senate, with the support of the President, set up a special committee under Senator Brien McMahon to deal with atomic energy. Senator McMahon, with some help from the executive side, drafted his bill. The President backed it, and so, finally, did the Secretary of War. The McMahon bill was enacted.

In our political practice, the main points in this little story are repeated again and again. An executive department gets the jump on the President by dealing with an interest group and a congressional committee. It presents its proposal to the public before the President—whether or not he hears of it personally— can tie it in with the programs of other departments. Sometimes the President can iron out the matter belatedly; sometimes he cannot do so at all; sometimes he never even hears of the issue.

III

In 1855, Attorney-General Caleb Cushing foresaw that Congress, by supporting its committees and the departments against the President, might disintegrate the executive branch. While pointing out that the Constitution vested full executive responsibility in the President, no matter where a statute might assign a function or power, he wrote as follows in an official opinion:

> "I hold that no Head of Department can lawfully perform an official act against the will of the President; and that will is by the Constitution to govern the performance of all such acts. If it were not thus, Congress might by statute so divide and transfer the executive power as utterly to subvert the Government, and to change it into a parliamentary despotism, like that of Venice or Great Britain, with a nominal executive chief utterly powerless—whether under the name of Doge, or King, or President, would then be of little account, so far as regards the question of the maintenance of the Constitution."

The Honorable Mr. Cushing, however, probably had no idea how many ways could be devised by interest groups, in addition to the practice of giving statutory powers directly to departments and their subdivisions, to make it harder for the President to supervise his subordinates. First, of course, there was the invention of the independent regulatory commissions. Next, there is the supervision of administration by congres-

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sional committees, which often is so detailed as to amount to direction. It is usually informal in nature, but occasionally the general practice is described in a statute, such as the act of 1944 requiring the Navy to obtain the approval of both naval affairs committees before buying or selling any tract of land.

Another way is to require one department to work under the supervision, not of the President, but of another department or a special board. Thus the Department of Agriculture was given a veto over OPA decisions on ceiling prices on meat, and a special board was created to consider which prices should be restored to OPA control. Then also the President may be required by statute to exercise his supervisory powers through some specific agency. Statutes define the functions of the principal agencies in the Executive Office itself, and give even more extensive powers over policy directly to the Office of War Mobilization and Reconversion. Finally, the President's discretion in managing the policies of the executive branch is limited by interdepartmental committees and advisory committees, some of which have statutory powers. Both types of committees can be highly useful, but unless the President has some way of keeping in touch with their work, he may find that they prevent him from hearing of issues that he alone should determine.

People who like to keep the major issues "out of politics" are just beginning to see how much use can be made of advisory committees, especially those with statutory authority. In the 1920's, the opponents of federal control of electric power simply proposed to sell Muscle Shoals to Henry Ford for half a billion dollars. Today their tactics would be more refined. They might propose that the government own Muscle Shoals but operate it through a commission of unpaid members not subject to presidential removal, as the May-Johnson bill proposed to handle atomic power. Or they might suggest that the Muscle Shoals agency have power to act only with the approval of an "advisory" board of private citizens professionally interested in its program, just as the Hospital Survey and Construction Act of 1946 put the government's hospital program under the control of boards of private citizens concerned with hospital administration.

In times of crisis, the opposition to the President has often sought to create a supervisory or coördinating authority to be played off against the President himself, or to take power away from him. Lincoln had to carry on a running fight with the Congressional Committee on the Conduct of the War. President Johnson lost control of the executive branch entirely. Wilson had to threaten a veto against a bill to create a war cabinet. Franklin D. Roosevelt had to stave off several efforts to set up a czar of everything. With political tactics like these to contend with, it is no wonder that Presidents are extremely wary of proposals to create a cabinet secretariat, or a White House chief of staff, or an Assistant President.

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In the long run, we may hope that Congress will increase its internal responsibility to the point of demanding that the President discipline the executive branch and prepare a unified governmental policy for review. It can do so in policy matters just as it did in budgetary matters. The President himself cannot protect the integrity of his budget, and neither can his Budget Bureau. Fortunately, the appropriations committees—which Congress under the executive budget system made responsible for a comprehensive review of all federal spending by taking power away from specialized committees—generally protect the unified financial program, and generally discourage the departments from appealing against the President's decisions.

Until Congress takes similar steps to unify the legislative program, the best the President can do is to devise a staff organization and staff procedures by which he can increase his leadership over the executive departments.

IV

What can be learned from the experience of the past decade or so about the way in which the President's staff can help him develop government policy?

The most important administrative event of this period was the creation in 1939 of the Executive Office of the President. This office was set up on the theory that the President should not only be the political and ceremonial head of the government, but be staffed to discharge his executive responsibilities as its general manager.

In the fields of personnel and budgetary management, it has been clear that in the long run—since, say, the 1880's—the authority of Congress as a whole and the authority of the President have increased together at the expense of particular units, whether we think of them as executive agencies or individual congressmen or legislative committees. Congress created the Civil Service Commission in 1883 and the Bureau of the Budget in 1921 as agents of the President, while it also concentrated most of its own dealings with personnel and budgetary matters in one committee in each house.

Even so, Congress held back in several ways from putting the personnel and budget agencies exclusively at the disposal of the President. In the Reorganization Act of 1939, it refused the President permission to transfer the Civil Service Commission or put it under a single administrator. The President could only create a liaison officer in his Executive Office through whom to deal with the Commission. The problem of supervising a three-member, bipartisan body has often led the President to deal mainly with the commissioner representing the minority party, whom he is free to choose at his own discretion, rather than with either of the members of his

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own party, whom he often appoints for reasons of patronage. So it was with President Cleveland and Commissioner Theodore Roosevelt, just as later with President Franklin D. Roosevelt and—in succession—Commissioners White, Ordway, and Flemming.

The Budget Bureau, on being moved in 1939 to the Executive Office, expanded greatly and took over, in addition to its estimates functions, the work of studying the organization and methods of management of the federal government. While the Budget Director is appointed by the President without Senate confirmation, the Bureau administers a considerable number of government-wide controls prescribed by statute, such as the enforcement of personnel ceilings and the Federal Reports Act. Certain congressmen have appreciated the Bureau's potentialities and sought to transfer it from the President's control to supervision directly by a congressional committee. It is still too early to judge how much the Legislative Reorganization Act of 1946, which requires the Comptroller-General to study and report on the conduct of operations of the executive branch, may hamper the Bureau's program of improving federal administration.

The top-ranking officers of the Budget Bureau and the most active members of the Civil Service Commission have worked consistently to make their agencies assume a more positive rôle as aids to better management, and to avoid over-stressing their restrictive controls. The Budget Bureau, probably because its director is not hampered by two colleagues, has been the more successful in this direction. Even so, it is difficult for an agency which is necessarily staffed by technicians or specialists to keep them from over-emphasizing their specialties. Staff members, especially those several layers down in the hierarchy, find it not too easy to get a vivid sense of the positive purposes which their chiefs may be seeking to advance—a sense which is transmitted most effectively by face-to-face relations, and which becomes much weaker when filtered down through official communications. It is always a problem for the subordinate staff officer to broaden his views and work toward general objectives. He is easily tempted to gratify his self-esteem by forcing his special regulations and his special schemes on operating agencies.

Nevertheless, in both personnel and budget work the central staff agencies have sought to gain their ends by getting the departments to improve their own staff services and controls. The Civil Service Commission, for example, supported an executive order in 1946 which transferred the recruitment and classification of departmental personnel to the operating agencies, subject to its audit. The Budget Bureau similarly administers controls over statistical programs largely by serving as the secretariat for a network of interdepartmental committees, and it has added to its regular system of estimates hearings a program of training departmental budget staffs. In functions such as classification and budgeting, most of

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the detailed decisions can be settled by technicians, and the policy issues can be segregated for determination by higher authority, if necessary by the President.

It is principally in those functions in which the Budget Bureau faces political pressures that it cannot act in close coöperation with line agencies. The Bureau, in preparing reorganization plans for the President, generally is unable to discuss them with the agencies affected lest these start political campaigns against the plans. Similarly, in its work of clearing legislation, legislative recommendations coming from the departments, and executive orders proposed by them, the Bureau maintains a somewhat less intimate relation with the operating establishments.

The appropriations committees of Congress have explicitly insisted that the Budget Bureau, even though it acts on behalf of the President, shall not tell executive agencies what they can say and what they cannot say. Congress demands the right to hear the independent views of a department head or those of any of his subordinates, although such views may collide with the program of the department itself or that of the President. Thus, to go back to the story of the legislation on atomic energy, Senator Johnson heard Secretary Patterson state his recommendations, which had been altered somewhat to conform with the President's wishes. Implying that the Secretary's statement on behalf of the War Department was not enough, the special committee decided to hear the independent opinion of General Groves, directing the development of atomic energy, who, as every newspaper reader knew, was not in agreement with his civilian chief.

The Budget Bureau is therefore permitted only to require that the departments report whether their legislative proposals are, or are not, in accord with the program of the President. This type of clearance helps prevent conflicting recommendations, especially on the less important issues, but for several reasons it can hardly guide the departments in developing a common policy.

First, the President and the Bureau—unlike the British cabinet—are not free to determine the legislative agenda. They can present a unified budgetary program, because estimates are submitted on a fixed schedule. But a department head may recommend legislation whenever he pleases, either directly or by informal arrangement with a congressman or a pressure group. This puts the Budget Bureau in its legislative clearance work always on the defensive. A department can submit its recommendation to Congress with the excuse that the pressure of time did not permit it to receive advice as to the proposal's relation to the President's program. Or, on a very important issue a department head may go directly to the President and by-pass the Bureau.

Second, because its procedure is to wait for a document to be referred

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to it, the Bureau cannot choose the issues with which it must deal. It must handle a great mass of routine clearance requests. It is therefore bound by a sort of Gresham's Law of administration, by which responsibility for a quantity of specific routine work makes it impossible to handle more general and important problems.

Third, the staff of the Bureau's division handling legislative clearance does not work personally with the President. On important policy problems, they must work through the Budget Director, who, of course, has a wide range of other functions, many of which get priority. The staff member reviewing estimates can settle many problems that are not worth the attention of department heads, since he can deal with subordinate officers on a relatively equal basis. In the legislative clearance work, however, a larger proportion of the problems are policy matters in which a Secretary or Assistant Secretary is apt to be personally interested. On issues of this level of importance, which are too numerous for the Budget Director to handle personally, his staff members cannot negotiate on an equal basis with departmental political officers.

Fourth, the general procedure of legislative clearance is to tell a department whether its proposal is or is not in accord with the President's program, and maybe suggest that it would be in accord with this program if a certain change or two were made in order to meet specific objections. The Bureau replies to departmental inquiries after clearing a proposed bill or report by correspondence with the departments concerned, or after consulting the President. It does not, however, call together the interested agencies at an early stage in their policy-planning and lead them in working out a common approach.

The organization work of the Bureau suffers from some of the same handicaps. The staff for this purpose must do research work independently of the agencies involved and present a confidential proposal to the President, simply because the President does not have tight enough discipline over the operating departments to let him discuss reorganization plans with them in confidence.

The National Resources Planning Board not only prepared long-range plans for public works and helped establish state and local planning agencies to coöperate with the federal program, but it also brought together leading authorities from both public and private life to draft reports on basic objectives of federal policy. Some of these were confidential reports to the President and others were published at his direction. The board usually included on the committees that prepared its reports professional specialists from federal agencies, who served in their personal capacities—rather than as representatives of their departments—along with recognized private experts. Only in this way could it have governmental committee members serve without being subject to departmental

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instructions. In other words, the Board was able to develop consistent long-range plans solely by refraining from dealing with current policies on which the departments would not permit their representatives to deliberate without instructions.

Congress abolished the National Resources Planning Board by denying it appropriations. But three years later it created a Council of Economic Advisers in the Executive Office of the President to aid him in the preparation of economic policies which the Employment Act of 1946 required him to present to Congress. At the same time, the act created a Joint Committee of Congress to consider and take action on the President's reports.

It seems clear from federal experience with budgeting and planning that in at least these fields Congress looks to the President for an integrated program. But this experience also suggests that independent staff work for the President, while it may be capable of enforcing regulations and controls or of preparing long-range plans, cannot alone build up a unified program of policy and legislation. The next big step in that direction must consist in strengthening the leadership of the President over his department heads.

V

It is not only the principal staff agencies that have helped the President guide departmental policies. He has had special assistants for special areas of policy, general assistants with broad assignments, and the aid of wartime coördinating agencies now lumped together in the Office of War Mobilization and Reconversion.

The use of a special assistant to deal with a single function of government—covering one or two operating agencies—may sometimes help as a temporary expedient, but is useless as a permanent arrangement. The obvious trouble is that the coördinator becomes just another kind of operating head, without the operating head's responsibility.

The President has employed various special assistants in a more satisfactory way by letting them handle certain problems so as not to conflict with departmental responsibilities. While Presidents Roosevelt and Truman used some of their administrative assistants on many types of work, two deserve special mention for their contribution to the management of federal policy.

Harry Hopkins was the only man who ever became a member of the President's personal staff after holding a cabinet position. Perhaps partly because of his appreciation of the point of view of the operating official, Mr. Hopkins, by all reports, was singularly free from the vice of most of those who have been tagged as "Assistant President:" he did not come to think that he was exercising authority of his own for his own purposes.

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He lived in the White House, avoided the press, and was personally close to the President, while handling for him assignments of the greatest importance.

Judge Samuel I. Rosenman, who helped draft public papers for Franklin D. Roosevelt for several years in Albany, and for thirteen years in the White House, played a large rôle in helping the President determine the course of policy. An annual message on the State of the Union touches on many aspects of policy. To collect drafts of pieces of the message from many executive agencies, to reconcile or reject conflicting proposals, and to balance them all with each other and with the President's personal wishes is one of the highest administrative arts.

The Office of War Mobilization and Reconversion might be described as an attempt to institutionalize the type of leadership over policy that Mr. Hopkins and Judge Rosenman exercised. The President created this office for war mobilization in May, 1943, and Congress in October, 1944, by statute made it responsible also for reconversion. The statute, in addition to putting into OWMR specific programs for contract settlement, surplus property disposal, and reëmployment, gave the director more explicit authority to direct executive agencies in certain types of their activity than the President had ever granted, and it required the director to make reports and recommend legislation directly to Congress.

The office set up a committee of agency heads and several committees of lower-ranking officials to help it coördinate particular phases of reconversion. It frequently called special meetings of operating officials to discuss those current aspects of the President's legislative and administrative program that it considered important. While OWMR had independent statutory status and was required to present reports to Congress, the act left the director subject to the control of the President. The director was given an office in the White House and was considered one of the President's principal assistants. The work of his staff and the committees which it served did much to iron out wrinkles in the reconversion program. But no one ever defined satisfactorily the relationship of the office with the other staff agencies of the President, nor the procedures by which it sought to advise and inform the President. On important issues, therefore, a department head might have some doubt whether an OWMR instruction constituted the last word from the President or not, and might well take up with the President issues that seemed to be settled by OWMR decision.

Perhaps the greatest difficulty was that the first three OWMR chiefs did not consider themselves permanent staff aides to the President. Mr. James F. Byrnes and Mr. Fred M. Vinson were men with independent political careers, and Mr. John W. Snyder followed their example in accepting as a promotion his transfer to a cabinet position. Similarly, while

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the staff members of OWMR did enterprising and even brilliant work, they never became a closely knit organization. The OWMR directors were not very much interested in creating a coherent organization by which the presidency could be staffed. Nevertheless, OWMR probably proved the necessity of providing the President with some type of staff assistance to enable him to deal with current policy problems in a more selective and flexible way than would be possible for, say, an agency with general responsibility for the federal budget.

Even though the relation between OWMR and the principal staff agencies—notably the Budget Bureau—was poorly defined, on several issues staff members of the two organizations worked together with great effectiveness. They could do so because they had the common purpose of serving the President, and because their institutional habits complemented each other in a valuable way. OWMR had the advantages of flexibility and initiative, even though its institutional habits were disorderly to a shocking degree, and the Budget Bureau, while somewhat less mobile, had ready access to all the resources of information that were kept current by its variety of controls permeating all aspects of federal administration.

All these efforts to help the President guide the development of federal policy had two principal weaknesses. First, they were not tied together by systematic staff work, so that many political conflicts developed simply for lack of clearance of information. Second, when the President asked an aide to settle a dispute between departments, some department head was pretty likely to appeal against the decision to the President himself.

VI

In order to manage the development of policy more effectively, the President needs a system that will let him make more use of his agency heads in person. He needs to draw them into the closer and more loyal relationship that can result only from their participation in more frequent common counsel on national policy. If he can do so, the administrative organization will be able to operate with greater coherence and flexibility than it ever could as long as the President must rely entirely on his Executive Office staff to help him work out orders to be given to department heads.

The President can do this, of course, only if he is determined to accept the responsibility for developing a consistent policy, and is unwilling to play a negative rôle in which he merely arbitrates differences as they arise, case by case. If he wants to accept such responsibility, however, he must have a system. He cannot personally manage the whole business himself, with all his other duties. Nor can he continue to rely on miscellaneous personal assistants.

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The cabinet does not serve the purpose, by all accounts, because it is too big to discuss some subjects and too small to discuss others, and its members know they can operate more effectively by getting the President's ear individually than by open discussion. Yet the cabinet is founded on three constitutional principles that it is useful to remember. First, the President may ask any one he pleases to come to a cabinet meeting. Second, he controls the agenda of the cabinet and then, after hearing the cabinet's advice, decides any question as he chooses. Third, the proceedings of the cabinet are confidential.

On the basis of these traditional principles, with the help of a staff unit of a new kind, the President might well develop and systematize the process of counseling with his department heads. The proposed staff unit in his Executive Office would be very small and would seek, not to stand between him and his department heads, but to tighten up the relations between them.

How would this system operate? First of all, the new staff unit would deal primarily with the heads of operating agencies who are directly responsible to the President. It should have no authority whatever of its own. At the President's direction, it should call the appropriate department heads together to work out a common approach, if possible, on any important issue of policy; and if they disagree, it should report the majority and minority opinions to the President for his decision.

Such meetings should be held in the White House, and the President should nominally be the chairman. He might preside briefly at the first meeting, and then turn the chair over to the head of the proposed staff unit—for convenience, let us call im the Chief of the Secretariat. If the issue were important enough, the President might take the chair whenever he pleased. The report of the group, if it received the President's approval, would automatically constitute an instruction from the President to all departments and to all staff in the Executive Office.

On matters on which department heads agreed, the President, if he chose, would not need to study the issues personally. The selection of issues which he should study and those which he need not study, however, should be under his own control. He and his own staff should choose when and how he should intervene in any issue.

If the President should refuse to discuss high policy with department heads individually, and act only after receiving recommendations presented in a systematic manner through his secretariat, the department heads would be all too willing to attend the meetings in person. If a department head, in such a meeting, should deny the President's authority to instruct him, as did Andrew Jackson's Secretary of the Treasury, the President would have to be prepared to apply Andrew Jackson's remedy.

Some working groups of agency heads might become in effect continuing

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committees—presidential policy committees. The President, however, should have it clearly understood that any such "committee" was not to acquire a fixed frame of reference, a fixed membership, and a separate secretariat—in other words, an independent corporate status of its own. A formal status would destroy the group's usefulness to the President, who would need to manage its relationship with other similar groups with great elasticity. He would gain nothing if he set up committees to bridge the differences between his departments, only to have a set of jurisdictional conflicts between the committees themselves to deal with. Perhaps the reason executive committees are less useful in the United States than in Great Britain is that they feel impelled, like legislative committees, to acquire a corporate existence or operating authority of their own, rather than being content to serve as the channel of agreement between other bodies.

From a cautious beginning, the President might develop a flexible system of groups of agency heads to advise him on the several principal fields of public policy. These groups could have sub-groups at various working levels, perhaps making use of some of the presently constituted interdepartmental committees. After some period of experimentation, the President might build up as complete a scheme of committees and subcommittees as proved useful. The secretariat would itself need to serve only the upper-level groups, but it should keep as well informed as possible on interdepartmental relations at all levels. With some such system, created to meet the needs of the whole government, it might be possible actually to reduce the number of interdepartmental committees that have been created to work on pieces of public policy.

Would such a system take up too much of the time of busy department heads? It is hard to think of any better way they could spend time than in avoiding the jurisdictional disputes with other departments that now cost the whole executive branch a tremendous loss of time. Half the time they now spend in waging jurisdictional warfare with each other would be enough for them to develop agreement, if brought together under presidential instructions.

How would the secretariat relate to other parts of the Executive Office? Staff work is not divided by governmental function, as is the work of operating departments. The secretariat would have no exclusive interest in any problem. It would choose only the main issues of policy to deal with, and hence would not touch the great mass of details on which the other parts of the Executive Office would work. It would not restrict the independent advice that would be given the President by others in his Executive Office: first, the secretaries and assistants who administer the President's immediate office and deal with the press, the party organization, and Congress; and second, the units doing institutional staff work for the

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President, such as the Budget Bureau and the Council of Economic Advisers.

The staff of the secretariat should be kept quite small, and it should work closely with other parts of the Executive Office. The legislative clearance of the Budget Bureau would be closer to the secretariat's function than any other present activity in the Executive Office. But the secretariat should not take over this activity, with all the detail involved. It should rather keep closely in touch with it, and keep the Budget Bureau fully informed of all secretariat proceedings, in order to give the Bureau—and other parts of the Executive Office—a chance to add its advice to that of the operating departments on any current issue.

Why cannot the present Office of War Mobilization and Reconversion simply be extended to do the job proposed for the secretariat? This question can be answered only by suggesting that the most important principles about the staffing of the presidency are the negative principles—referring to the things the President should not do. If he is to be chief executive, it is more important for him to guard against the tactics which the political opposition—and even his own departments—use to diminish his authority, than to work out some neat pattern of administration. What are these negative principles?

First, the staff agencies of the President ought not to exercise authority in their own right over departments on issues of policy. Agencies like the Budget Bureau and the Civil Service Commission necessarily regulate aspects of federal management that the President never hears of, even though personnel regulations and budget estimates are finally determined by him, and a department head can appeal to him. On current policy questions, a staff unit must act less independently. The secretariat may sort out pertinent information, summarize for the President the advice of operating agencies, and administer the system by which he issues instructions to his department heads. But it will be handling the actual or potential subject-matter of legislation. If it makes decisions itself, Congress may well insist on formalizing its status, treating it as an independent agency, and making it answerable to a congressional committee.

Second, the President ought not have any single aide who is his sole channel of staff advice. A single chief of staff, or Assistant President, is all too likely to develop political ambitions. Or, even if he were immune to that all but universal weakness, congressmen and executive officials alike would thrust a political rôle on him by creating or provoking differences between him and the President, and playing the two off against each other. For purposes of internal management of the Executive Office, the President, of course, might well designate one of his staff aides as a sort of *primus inter pares* for certain limited purposes; but the less conspicuously he does so, the better. If the President puts his policies at the disposal of

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one man, he will virtually lose the right to discharge him. He could not fire an *alter ego* without, in effect, giving himself a vote of no confidence. The surest way for the President to become a mere constitutional monarch would be to make someone else his prime minister.

Third, the President should not have the internal affairs of his Executive Office frozen by statute. He ought to be able to adjust its internal relationships at will. Moreover, he should be able to choose his immediate aides as he now appoints the Budget Director, without the necessity of getting them confirmed by the Senate.

Fourth, the President should have discretion in managing the relations between his executive departments. The statutory creation of, for example, the proposed Council of Common Defense would hamper the President's ability to adjust the relations of its members with other department heads.

Once the government departments are given their basic functions and powers by statute, it is an executive job to coördinate them and to manage the development of their policies. The creation of statutory agencies for coördination, between the level of the departments and the chief executive, can only add another layer of semi-independent establishments to those which the President must try to coördinate. If he is to have his subordinates develop a unified policy—always, of course, subject to legislative approval, amendment, or rejection—he must exercise full discretion in deciding when to consult with any of them individually, when to require them to clear their policy proposals with each other, and when to have his own staff units review these proposals and advise him about them.

The constitutional principles on which the cabinet is founded are sound. Nevertheless, the cabinet has become an administrative anachronism. The President needs a new system for the development of executive policy. If he does not create one, Congress may set up by statute a confusing complex of interdepartmental clearances and committees. It would strengthen the President's political as well as administrative leadership if he were to systematize the methods by which he advises with his subordinates—always taking care to preserve his right to determine whom to consult, when to consult, what issues to discuss, what decisions to make, when to announce them, and when to operate occasionally outside the channels he has created.

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NEWS AND NOTES

PERSONAL AND MISCELLANEOUS

Compiled by the Managing Editor

The Nominating Committee of the American Political Science Association has agreed unanimously upon the following nominations for officers for 1947, to be acted upon at the Association's annual meeting at Cleveland in December: president, Arthur W. Macmahon, Columbia University; first vice-president, Quincy Wright, University of Chicago; second vice-president, V. O. Key, Jr., Johns Hopkins University; third vice-president, Charles Fairman, Stanford University; members of the Executive Council for 1947–49: Taylor Cole, Duke University; George A. Graham, Princeton University; Llewellyn Pfankuchen, University of Wisconsin; John A. Vieg, Pomona College; and Belle Zeller, Brooklyn College. The members of the Nominating Committee are: John E. Briggs, State University of Iowa; Everitt S. Brown, University of Michigan, Robert E. Cushman, Cornell University; Edward M. Earle, Institute for Advanced Study; and Denna F. Fleming, Vanderbilt University (*chairman*).

Professor Howard B. Calderwood has resigned his post at the University of Michigan to accept a position in the Department of State at Washington.

Under a coöperative arrangement between the University of Chicago and the University of Puerto Rico, Professor Rexford G. Tugwell is spending the winter in San Juan.

Professor J. A. C. Grant has returned to active duty at the University of California at Los Angeles after a sabbatical leave spent in Colombia and other countries of Middle America.

Two recent additions to the faculty of the School of Advanced International Studies in Washington are Dr. Paul M. A. Linebarger, as professor of Asiatic politics, and Dr. Philip B. Thayer, as professor of international commercial law.

The Walgreen Foundation at the University of Chicago offered during the autumn quarter a series of lectures on civilian-military relations, the series starting with Messrs. Hanson Baldwin and Paul H. Appleby. Mr. Louis Brownlow continued his autobiographical series with two lectures on his experiences as a state house and city hall reporter. Professor C. Herman Pritchett gave lectures, also, on "The Roosevelt Supreme Court."

Dr. D. F. Fleming, of Vanderbilt University, spent the summer in the State Department as an adviser to Bernard M. Baruch, the United States

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representative on the United Nations Atomic Commission. During the current term, he is on leave from Vanderbilt to take part in an investigation headed by Professor Edward Mead Earle at the Institute for Advanced Study, Princeton, New Jersey. Professor Fleming's classes at Vanderbilt are in charge of Mr. Hedley V. Cooke, Jr., recently resigned from the U. S. Foreign Service.

Dr. Fred V. Cahill, Jr., assistant professor, has returned to the University of Oregon following his release from active military duty. During the war he served as executive to the Intelligence Officer, South Pacific Base Command in New Caledonia and, following training in Military Government at the University of Virginia and at Harvard, served as Liaison Officer in the Korean Division of General Headquarters, Supreme Commander for the Allied Powers, Tokyo.

Recent contributions to the Endowment Fund of the American Political Science Association include two thousand dollars from Professor John A. Fairlie, of the University of Illinois, and one thousand dollars from Dean Isidor Loeb, of Washington University.

During the month of November, the Albert Shaw lectures on diplomatic history at the Johns Hopkins University were delivered by Professor Malbone W. Graham, of the University of California (Los Angeles), on the subject of "American Diplomacy and the International Community." Five lectures were included in the series.

Professor J. Eugene Harley, of the University of Southern California, spent last summer in South America, principally in Rio de Janeiro and Buenos Aires, and with a view principally to studying at first-hand problems of regional Latin-American coöperation with the United Nations and also completing studies of the official censorship of motion pictures in Argentina and Brazil. Professor Harley is president of the United Nations Association, Southern California Branch.

At the University of Pennsylvania, Mr. Alfred H. Cope has been appointed instructor and Dr. R. Jean Brownlee, personnel officer in the College for Women at the University, part-time instructor.

Dr. Leo S. Rowe, director-general of the Pan American Union since 1920 and a former president of the American Political Science Association, was struck and killed by an automobile in Washington on December 5. A memorial will appear in the next issue of the REVIEW.

After extensive military government experience in Okinawa and other parts of the Far East, Dr. John T. Caldwell has returned to Vanderbilt

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University with the rank of Lieut. Commander. Mr. Henry N. Williams also has rejoined the department at Vanderbilt after service as a captain in the Army, with a long term of work in the historical division of the War Department.

At Beloit College, Dr. William S. Shepherd, formerly of the State University of Iowa, has been appointed assistant professor, and Mrs. Donald Murray, formerly of the College of William and Mary, instructor in the social sciences, with half-time in the department of government. Professor Ivan M. Stone taught at the University of Nebraska during the summer of 1946.

Dr. Charles P. Harper, state supervisor of occupational information and guidance for West Virginia since 1942, has resigned that position to become associate professor of political science at Marshall College. He was formerly a member of the faculty of Glenville State Teachers College.

Dr. Ralph R. Temple, who taught for eight years at Brooklyn College and more recently has been associated with military government in Italy, has been appointed assistant director for public administration in the State Division of the Pennsylvania Economy League.

In addition to his duties at New York University, Professor Henry P. Jordan is lecturing at Queens College on Latin American governments and politics.

Professor Karl Loewenstein has resumed teaching at Amherst College, after serving in 1942–44 as special assistant to the Attorney-General in Washington, in 1944–45 as legal adviser to the Emergency Committee for Political Defense in Montevideo, and in 1945–46 as legal adviser to Military Government in Berlin.

Dr. Spencer D. Albright has been appointed associate professor of history and government at the University of Richmond. Prior to entering the Army in 1943, he was a lecturer in the department of political science at the University of Washington.

After serving in the department since 1916, Dr. Jacob Tanger retired in June as department head and professor of political science at Pennsylvania State College. Dr. M. Nelson McGeary has been promoted to the rank of associate professor and will offer the work in Pennsylvania government previously in charge of Dr. Tanger.

Dr. Charles Chandler is serving as visiting professor of international relations at Ursinus College during the absence of Dr. Eugene Miller, who has a Penfield fellowship for a study of Canadian-Latin American relations.

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After four years of service in the U. S. Army, the last two of which were spent in the Office of the Surgeon-General, Dr. Richard E. Yates has returned to his post as assistant professor at Hendrix College, Conway, Arkansas.

Dr. Waldo E. Waltz has resigned at the University of Maryland to undertake private consultation work with the Smith-Rushmore Company in the Denver area.

Professor W. Rolland Maddox, of the University of Kansas, died of a heart ailment on October 3. He had been in poor health for two years.

Dr. Theodore W. Cousens is now on the staff of the Associated Colleges of Upper New York as professor of history and government.

After fifteen months' service as U. S. Staff prosecutor at the Nuernberg trials and adviser and research director to Justice Robert H. Jackson, Dr. Robert M. W. Kempner, of Lansdowne, Pa., has returned to the United States and is now engaged in lecturing on the political science and legal aspects of the trials, and in special work for the War Department.

Dr. Felix E. Oppenheim, employed in the U. S. Department of State earlier in the year, assumed in September an assistant professorship of political science at the University of Delaware.

At Wells College, Mr. Kurt Wilk has been appointed associate professor of government for the current academic year.

Dr. Marjorie Ruth Dilley, associate professor at Connecticut College, has been made chairman of the recently established department of government. Mr. Maurice J. Klain, formerly of New Jersey College for Women, is an instructor in the department.

Dr. Helmut Hirsch, of Roosevelt College, has been appointed visiting instructor at the University of Chicago.

During the autumn quarter, the newly established Institute of Government at the University of Utah presented a series of lectures on American-Soviet relations. Participants and topics included Dr. Charles P. Schleicher, on "American Policy Towards Russia."

Dr. Amy M. Gilbert, who served as visiting professor of history at Temple University in 1945–46, has been appointed head of the department of history and political science in the Associated Colleges of Upper New York, including Champlain College, Mohawk College, and Sampson College. Dr. Gilbert resides at Champlain College, but travels twice a month to the other two colleges.

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Commander William B. Ballis has resigned at Ohio State University to accept the position of chief of the Political Section of the Eastern European Branch, Division of Research for Europe, Department of State. He has recently been separated from the Naval Service. His last assignment was for 1945–46 as Assistant Naval Attaché of the American Embassy, Moscow, U.S.S.R.

Professor Pendleton Herring, formerly secretary of the Littauer School of Public Administration at Harvard University, has been added to the staff of the Carnegie Corporation of New York, with, however, leave of absence to serve as director of the Atomic Energy Commission Group of the United Nations.

Dr. John Brown Mason, at present visiting professor at Oberlin College, served last spring as the Central European specialist on the staff of Herbert Hoover's Food Mission to Europe, and afterwards spent five months organizing for the Hoover Library the collection of documents and publications relating to the history of World War II in some fifteen countries, including Poland, Yugoslavia, and the occupied zone of Trieste.

At the University of Kentucky, Dr. Jasper B. Shannon has returned with the rank of professor, after serving as acting director of the Graduate School of the Department of Agriculture at Washington and more recently as a member of the faculty of the Army University Training Center at Florence, Italy. Mr. Alexander T. Edelmann, who was discharged from the Army with the rank of Lieutenant-Colonel, has resumed his duties. Mr. E. G. Trimble expects to return on January 1 after several years of service with the President's Fair Employment Practices Committee and the Office of Price Administration. The staff has been enlarged by a number of new members: Dr. Gladys M. Kammerer, formerly of Wellesley College, Mr. Charles Povlovich, Mr. William D. Stout, and Mr. Kenneth E. Vanlandingham.

During the autumn, Dean William F. Russell, of Teachers College, Columbia University, announced that a new institute sponsored by an international body of scholars, historians, philosophers, political scientists, and sociologists "to study with scientific precision the relations between education and democracy" has been organized at Teachers College, and would open its program with a series of lectures on the United Nations beginning November 20, together with a series of bi-monthly seminars conducted by leading American and foreign scholars. The Institute of Studies of Comparative Government and Education, as the center will be known, will be under the executive directorship of Professor Boris Mirkine-

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Guétzevitch, eminent French scholar, dean of the Faculty of Law and Political Science of l'École des Hautes Études, and visiting professor at Teachers College; and it is planned to launch a quarterly scientific review, together with a series of monographs, of which the first, dealing with the political, social, and educational ideas of the French Revolution, is now in preparation.

Recent appointments at Indiana University include Joseph B. Kingsbury as professor and Edward B. McPheron as assistant professor. Professor Kingsbury will have charge of both the general courses in public administration and the seminar in administrative management. Professor McPheron will assume the duties of director of the Bureau of Government Research, left vacant by Professor Pressly S. Sikes when he became dean of the Junior Division of the University. After an absence of four years for war work, Professor Roy V. Peel has returned to his position as professor and director of the Institute of Politics; and after serving two years with the Department of State, in this country and abroad, Professor Edward H. Buehrig also has returned, with the rank of associate professor. Mrs. Wilma Langdon Davis, director of the Institute of Training for Government Service, worked during the summer with the United Nations. New instructors in the department include Miss Grace Thomson, Mr. Paul Willis, Mr. George Long, Mr. Louis Lambert, Mr. Garland Haas, and Mr. Bruchard Davidson. Professor Oliver P. Field has resumed the teaching of constitutional and administrative law.

The fifteenth annual meeting of the Southern Political Science Association was held at the Hotel Andrew Johnson in Knoxville, Tennessee, November 7–9. Sessions were devoted to the following topics, among others: "Politics and Social Changes in the South," "Law and Administration in War and Reconversion"; "The Crisis of the Twentieth Century"; and "The Post-War International Order." Luncheon speakers included Hon. Estes Kefauver, member of Congress, and Dr. Luther H. Evans, Librarian of Congress—the latter representing the American Political Science Association. The retiring president of the Association was Professor James Hart, of the University of Virginia, and the program chairman was Professor Robert J. Harris, of Louisiana State University.

Mr. William F. Larsen has been appointed to an instructorship at the University of Tennessee.

At Lincoln University, Jefferson City, Missouri, Dr. J. Erroll Miller has been promoted to the rank of associate professor.

Dr. Gordon G. Shipman is teaching political science and sociology at Shurtleff College, Alton, Illinois.

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Mr. Samuel J. Eldersveld, who recently returned from service in the Navy, has been appointed instructor at the University of Michigan.

Dr. George B. Telford, formerly of Miami University, has been appointed to an assistant professorship at the University of North Dakota.

At the University of Pittsburgh, Dr. Richard C. Baker, formerly of Allegheny College, has been appointed associate professor; Drs. Rosalind L. Branning and Albert B. Martin have been promoted to assistant professorships; Messrs. Holbert N. Carroll, David R. Deener, and William C. Seyler have been appointed instructors; and Mrs. Marian K. Finkelhor has been appointed lecturer. Mr. William G. Willis has been granted a leave of absence for graduate study at the University of Pennsylvania.

Dr. Earl E. Edgar, formerly on the staff of the College at the University of Chicago, has been appointed associate professor of philosophy in the Institute of Citizenship at Kansas State College. Lt. Col. Eric Tebow, currently commanding officer of the Signal Corps Photographic Center in New York City, will join the staff of the Institute on January 1, 1947, as associate professor of education specializing in the use of audio-visual methods in adult education.

Since his appointment as head of the department of government and politics at the University of Maryland, Dr. Joseph M. Ray has instituted a research and survey service available to municipalities of the state. His first printed report was "Improving the Government of Hagerstown."

Dr. Paul S. Dull has been appointed assistant professor at the University of Oregon. During the spring semester of 1946 he was assistant professor at the University of Washington, and prior to that time served three years in the U. S. Marine Corps Reserve, first as Japanese Language Officer and later as Officer-in-Charge of the Japanese Language School, Camp Elliot, California. He was separated from the service with the rank of Captain in October, 1944, and became chief of the Japan Intelligence Section, Psychological Warfare Branch, OWI, in San Francisco.

The University of Mississippi political science department has been enlarged this year by the addition of Dr. Charles N. Fortenberry as associate professor, Mr. J. Leiper Freeman, Jr., as acting assistant professor, and Miss Mary Evelyn Blagg, as assistant director of the Bureau of Public Administration and instructor. Dr. Fortenberry returned to Mississippi from teaching at Texas A. and M. College and North Texas State College. Miss Blagg, who formerly taught at Texas State College for Women, was in 1945–46 a fellow in the Southern Regional Training Program in Public Administration, with work at the Universities of Alabama, Tennessee, and Kentucky.

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At the Boston meeting of the National Council for the Social Studies, November 28–30, one joint session with the American Political Science Association was devoted to "Local Government: The Foundation of the American Governmental System," with Professors Roy A. Price, of Syracuse University, and Lashley G. Harvey, of Boston University, among the speakers; and another to "Politics, Elections, and the Social Studies," with Professors Arthur N. Holcombe, of Harvard University, and Harold R. Bruce, of Dartmouth College, discussing "What the 1946 Elections Mean."

The sixty-sixth annual meeting of the Academy of Political Science, New York, was held at the Astor Hotel on November 7–8. The general topic was "Developing a Working International Order—Political, Economic, and Social," with a session presided over by Professor Grayson L. Kirk, of Columbia University, devoted to "International Politics and International Order," and another, participated in by Professor Joseph P. Chamberlain, of Columbia, dealing with "Social and Economic Aspects." As usual, the addresses will be published in a volume of the Academy's Proceedings.

Post-doctoral research training fellows appointed by the Social Science Research Council for 1946–47 include William Ebenstein, Princeton University, for research on the relations of European Great Powers with major countries of Latin America. A pre-doctoral field training fellow is Martin Kriesberg, Harvard University, for study of methods and procedures currently employed in measuring public opinion, particularly polling techniques. Grants-in-aid have been awarded to Hugh McD. Clokie, of the University of Manitoba, for completion of a study of the development of English party organization; Charles Fairman, of Stanford University, for completion of a study of the development of constitutional law, with special reference to the career of Joseph P. Bradley, Justice of the U. S. Supreme Court, 1870–92; J. A. C. Grant, of U.C.L.A., for completion of a study of judicial protection of constitutional guarantees in Colombia; Louise Overacker, of Wellesley College, for completion of a study of the Australian party system; John E. Stoner, of Indiana University, for completion of a study of the rôle of interest groups in the formulation and administration of economic regulations; Eric H. W. Voegelin, of Louisiana State University, for completion of a history of political ideas; and Harold Zink, of DePauw University, for completion of a study of American Military Government in the European Theater of Operations.

The Philippine Foreign Affairs Training Program of the Department of State has now been in operation for approximately one year. During this

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time, three separate training sessions have been held, and three groups of Philippine foreign service officers graduated. Most of the graduates of the first two training groups have now assumed responsible positions in the new Philippine Embassy in Washington. The work given the trainees in the State Department has covered the broad fields of international relations and international law and diplomatic and consular practice. Regular weekly readings and reports have been assigned the trainees, and examinations held each Friday. On the completion of their training in the State Department, a number of the trainees have been assigned abroad to American foreign service establishments for training in the field. This program, which, at the request of the Republic of the Philippines is to be continued for an indefinite period, is under the direction of Mr. E. W. Mill, of the Office of Far Eastern Affairs in the State Department.

Augustus Raymond Hatton, familiarly known as "A. R.," died on November 12 in Austin, Texas. His death removes one of the most picturesque, dynamic, and personable characters in political science circles. Born in Vevey, a small town on the Ohio River in the county of Switzerland in Indiana—a county which boasts of never having been entered by a railroad—as a farm-boy he attended country schools. He received his advanced education at Franklin College, from which he was graduated in 1898. He later studied at the University of Chicago, and received his Ph.D. degree from that institution in 1907. Before taking his doctorate, young Hatton taught at Franklin College and also served as an instructor in the extension division of the University of Chicago. In 1907, he was appointed the first incumbent of the Marcus A. Hanna chair of political science at Western Reserve University. In 1911, he was engaged for one year as a lecturer on municipal government at Harvard University. Hatton remained at Western Reserve until 1927, when he became professor and chairman of the department of political science at Northwestern University. Retiring from the latter institution in 1940, he served as visiting professor of government at the University of Texas in 1942–43 and visiting professor and adviser to the chancellor of the University of Puerto Rico in 1943–44. Professor Hatton's chief contribution to political science was his development of the technique of draftsmanship of city charters and state constitutions. He actually drafted or assisted in the drafting of more than one hundred city charters. In 1913, he was draftsman for the Cleveland Charter Commission, and he drafted the charter adopted by the city in 1922 providing for a city manager and a council elected by proportional representation. He served as a member of the Cleveland city council during 1923–27. For many years he was a charter consultant for the National Municipal League, and after 1929 was presi-

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dent of the Proportional Representation League and an honorary member of the International City Managers Association. He was editor of the *Digest of City Charters* published in 1906 and of *Public Budgets* in 1915, as well as numerous articles on municipal government in professional and learned journals. Since his retirement, Hatton had resided on his ranch in Dripping Springs near Austin, Texas. Colleagues and associates remember him as a stimulating teacher, as an indefatigable municipal reformer, as a friend, guide, and councillor of younger colleagues, and as a civic monitor in any community in which he lived.—KENNETH COLEGROVE.

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BOOK REVIEWS AND NOTICES

The Complete Writings of Thomas Paine. By Philip S. Foner. (The Citadel Press. 1945. Two volumes. Pp. lxiii, 632 and xvi, 1520. $2.50 and $3.50.)

This work, together with Professor Harry H. Clark's *Thomas Paine; Representative Selections* (1944), supplements the Conway edition of Paine and gives us a much fuller documentation of the writings of the revolutionary philosopher. Dr. Foner's work contains an introduction of 46 pages in which he sums up briefly some of the important considerations in the life of Paine. The collection and editing of Paine's writings was carried out by an unnamed "prominent student of American history."

It is interesting to note that whereas Theodore Roosevelt once characterized Paine as a "filthy little infidel," Clark and Foner are now debating the question of whether or not Paine's political ideas grew out of his religious ideas; while Robert P. Falk considers the question whether Paine was a Deist or a Quaker. Foner's conclusion is that Paine was a Deist, but did not use very diplomatic language in his effort to "democratize" the idea. His main offense, according to Foner, was that he "transformed Deism from an aristocratic into a popular movement" (p. xxxviii). There is an old saying still worthy of consideration—Paine in his *Age of Reason* lost his *Common Sense.*

These 2,000 pages contain some two hundred pieces that have never appeared in any of the previous collections of Paine's writings. Among the more important of these are defenses of Jeffersonian democracy and the Pennsylvania constitution of 1776, along with many letters to numerous figures throughout the world. The recent volumes contain Paine's unfortunate letter to George Washington (1796) which brought down the house upon him. "And as to you, Sir, treacherous in private friendship (for so you have been to me, and that in the day of danger) and a hypocrite in public life, the world will be puzzled to decide whether you are an apostate or an impostor; whether you have abandoned good principles, or whether you ever had any."

Whether or not Paine was a great philosopher, he was a great propagandist—the greatest of his time. Whatever the practical judgment of him may have been, *Common Sense* was a document of immense power and value to the American cause, and his *American Crisis* was not far behind it. In another field, the *Rights of Man* was full of winged words that carried far and wide.

It is not necessary to endorse every item of Paine's belief or conduct, but balancing his eccentricities against his achievements, he undoubtedly was one of the great political figures of his day and one who contributed heavily to the triumph of the American cause. Dr. Foner's work is an im-

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portant addition to our knowledge of the writings and political behavior of this significant figure.

CHARLES E. MERRIAM.

University of Chicago.

American Radicalism, 1865–1901: Essays and Documents. BY CHESTER MCARTHUR DESTLER. (New London, Connecticut: Connecticut College. 1946. Pp. xii, 276. Cloth, $3.50; paper, $2.50.)

This is a collection of nine historical studies and two documents, most of which have been published in various journals. The several essays are linked by the author's interest in the sources and manifestations of a peculiarly American political creed, which Mr. Destler calls radicalism. Mr. Destler is one of the growing number of American historians who find it necessary to qualify the overstress laid by the Turner hypothesis upon the Western origin of American radicalism. His studies explore the cross-fertilization between Eastern and Western, urban and rural, reform movements. They also examine the clash of the indigenous American radicalism which resulted from such cross-fertilization with the imported proletarian socialism which was gaining support among American workmen in the 1890's.

In the effort to work out a harmonization between agrarian anti-monopoly reformism and urban collectivist reformism, Mr. Destler finds the influence of Henry D. Lloyd especially significant. He includes an 1894 address by Lloyd (one not published with Lloyd's collected papers) which is an admirable illustration of his persuasive eloquence in attempting to graft the collectivist reformism of the late nineteenth century upon the trunk of traditional Jeffersonian liberalism. In one of his essays, Mr. Destler defends Lloyd's scholarship and integrity in *Wealth against Commonwealth* against the depreciating judgment of Allan Nevins. He makes a good case. Readers of this volume will await with interest the publicatiln of Mr. Destler's book on Henry Lloyd.

This collection of essays does not pretend to be a definitive statement on American radicalism in the post-Civil War era. Some of the major figures who would appear in such a statement, e.g., Henry George and Daniel DeLeon, appear here only incidentally. But the book is part of the painstaking clearing of the ground that must be done before any adequate comprehensive study can be written. Some of the essays, such as the blow by blow account of the struggle between the city of Toledo and the Standard Oil Company over a municipal gas company, and the three essays on the Labor-Populist Alliance in Illinois, are rather heavy with detail, but they represent the sifting of a great mass of source material.

Precisely what does Mr. Destler mean by the term "radicalism"? He finds apparently a continuing American tradition, which goes back to the

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Jeffersonian insistence upon the importance of small, self-employing enterprisers, which was later interpreted by the Populists to mean "anti-monopolism, insistence on equal rights, labor-cost theory of wealth, hostility to finance capitalism and the money power, and the assertion of a community of interests between rural and urban producers" (p. 222), and which was strongly influenced by, but not transformed into, an indigenous urban-inspired collectivism. This covers a great deal of ground, but how "radical" most of it is is properly debatable, if "radical" connotes fundamental change. Henry Lloyd insisted that the monopolists had revolutionized the American political-economic pattern; for him, the defenders of monopoly were radical innovators. For Mr. Destler, radicalism, or at least American radicalism, seems to refer to belief in a particular traditional substantive creed combined with a readiness to accept thoroughgoing innovations in methods. For such an attitude and the movements characterized by it, we need a general descriptive term. "Populist" and "Progressive" are probably too specific in American usage, even if spelled with lower-case p's. Perhaps "radical" is as useful as any other term, although in practical American politics it is typically an accusation rather than a description. The difficulty lies in our limited political vocabulary rather than in Mr. Destler's selection from it.

JOHN D. LEWIS.

Oberlin College.

Prophets and Peoples. By HANS KOHN (New York: The Macmillan Company. 1946. Pp. 213. $2.50.)

This volume carries forward Professor Kohn's study of the idea of nationalism into the nineteenth century. In successive essays, he examines the social origins, intellectual development, political *milieu*, theoretical formulations, and ultimate influence of five towering figures of the century. One was chosen from each of the five great European states organized on a national basis. They are Mill, Michelet, Mazzini, Treitschke, and Dostoevsky.

The inclusion of John Stuart Mill in such company may come as a surprise to some. Those who regard themselves as enlightened internationalists are frequently anti-nationalists and tend to equate nationalism with statolatry. The essay on Mill is a salutary reminder that one form of the national idea is the right of national self-determination, a right which Woodrow Wilson and the internationalists have followed Mill in defending. Such a right is not absolute, but this is because none of the rights which constitute the many branches in Mill's tree of liberty is to be allowed to grow at the expense of other rights or of the rights of others. The idea remains a liberal idea.

For Michelet, as for Mill, there was a universal right of self-determina-

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tion. France would be a leader, but France would not deny to others what she claimed for herself. Michelet's early writings show the anti-British strain characteristic of French nationalism even in the mid-nineteenth century. He lived just long enough to see the greater menace in German nationalism, a nationalism which did not recognize even in theory the equal rights of other nations or the conflicting rights of lesser groups in a pluralistic society. Mill and Michelet, coming from opposite directions, thus came to see the interconnectedness of national self-determination and individual liberty. In this they were joined by Mazzini.

Treitschke and Dostoevsky considered themselves prophets of their respective chosen peoples. For the one, Prussian discipline and iron-willed determination furnished the basis for victorious world leadership; for the other, it was the Slavic soul and peasant courage. To fulfill the unique mission of his own nation-state, each would have willingly subordinated all individual rights which seemed to conflict with the maximum extension of state power. Professor Kohn believes that such a sacrifice deprived Germany of "that vital spontaneity without which modern progressive nations cannot exist (p. 120)." He thus suggests that the free peoples of the world have triumphed over the Axis because they were free, not because they had the big battalions. Our freedom is precious, but it may be dangerous to regard free institutions in themselves as guarantors of military victory.

With the victory of the United Nations, the right of national self-determination has in theory won the day; but recognition of sovereign status has not always gone hand in hand with the grant of real freedom. The right of national self-determination needs reëxamination and redefinition. This study, like so many others by Professor Kohn, provides valuable background.

WILLIAM T. R. FOX.

Yale University.

The Future in Perspective. By SIGMUND NEUMANN. (New York: G. P. Putnam's Sons. 1946. Pp. x, 406. $4.00.)

This is a good, brief, well-organized, and highly readable record of and commentary upon international and relevant domestic developments of recent decades. It claims to provide an interpretation on the basis of which "a friend in need of an answer" may judge whether the period of international conflict and war is now over or whether a new holocaust is in prospect. Mr. Neumann inferentially gives his answer in the introduction when he refers to the period since 1914 as the period of the second Thirty Years War, but by the time the final page is reached it is apparent that there is some doubt in his mind as to the validity of this answer.

Beginning with the background of World War I, Mr. Neumann surveys

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that war and the ensuing peace settlement, the period of "war after the war" (1919–24), the years of stabilization and reconstruction, the crisis of 1929–34, the march of the dictators, and the second World War, ending with an epilogue on the prospects for peace. In spite of the frequent assumption that the reader has prior knowledge of events discussed, the book is valuable as an introductory sketch of the period for beginners, and is even more valuable for students who need refresher reading. Advanced students, however, will find little that is new.

A partial exception to the latter statement should be made in connection with Mr. Neumann's treatment of National Socialism and the reasons for its acceptance by the German people. Strictly, there is little that is new here either, but various analyses of the subject have been drawn together in such a simple yet comprehensive and coherent way that the result is outstanding. In no other brief account will one find so excellent an analysis of the political, social, and psychological factors which gave rise to National Socialism in Germany, or of the nature and significance of National Socialism on the international, national, and personal planes.

The claim that the book provides a basis for tentative answers concerning the future raises several problems. In general, this purpose requires the selection of material on the basis of its contribution to an understanding of forces that are likely to continue to operate or trends which are likely to persist. The author recognized this at least partially when he included numerous commentaries and analyses, but still attention is centered, within a general chronological framework, on countries and events. One might ask whether his purpose might not have been served better by following the practice employed in connection with National Socialism, therefore treating other subjects such as nationalism, liberalism, and Communism, on a topical basis.

Considerable space is given to pen portraits of leading political figures from Clemençeau on, to say nothing of Derso's caricatures which enliven thirty pages. These sketches are excellent in themselves, but, again, do they shed much light on underlying forces and trends? If one interprets history in terms of personalities, is a key to the future provided?

In contrast to the brilliant treatment of Germany and National Socialism, there is nowhere in the book a serious attempt to analyze Soviet policy or the Communist movement. Numerous assumptions are made—that the U.S.S.R. is not possessed of an insatiable desire for conquest, that the Russian people are imbued with deep belief in Communism and with the crusading spirit of the Revolution, that "Russia wants nothing that we want and we want nothing that Russia wants," that Russia is "committed to international coöperation and eager to be a respected member of the world community," that there is "reasonable hope" that the Politbureau will ease totalitarian rule and "become more sensitive to world

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opinion and democratic freedom," that Russia and the West are "approaching each other from the two focal points of social and political democracy," etc.—but the validity of these assumptions is not examined. The slighting of the Soviet Union is illustrated in a short paragraph in which the probable eastward shift of Europe's population is mentioned; the author suggests that this will reduce Germany's ability to threaten the peace, but does not refer to the possibility that the same trend may increase the ability of the Soviet Union and its satellites to do the same thing.

Even so, the book is a valuable aid to the study, and especially to the teaching, of international relations; it is recommended for the use of those who need a brief survey of the past three or four decades, and particularly for those interested in an understanding of National Socialism and Germany's rôle.

VERNON VAN DYKE.

Yale University.

The New United States. By EDGAR EUGENE ROBINSON. (Stanford University: Stanford University Press. 1946. Pp. viii, 141. $2.50.)

In his introduction, the author suggests the following changes in the treatment of American history: "First, lessen the amount of subject-matter that is presented from the mass accumulated in long years of study, not only in textbooks but in our thinking . . . Second, enlarge the basic geographic and population contributions to the subject-matter of the United States in the twentieth century. Third, increase the time and attention given to the past fifty years. Fourth, emphasize the *ideas*, particularly in science and in philosophy, which were vital in increasing measure in the era between the two World Wars. Fifth, insist upon the presentation of the complete political record throughout our experience as a self-governing people" (p. 9). With these proposals there is probably no ground for fundamental disagreement.

The writer does not, of course, undertake in this small volume the ambitious task of restating American history, but he submits essays (a number of them were addresses) designed to clarify American problems and issues over the period from 1934 to 1945. They deal with such topics as "The Nature of American Democracy," "The Spiritual Basis of the American Dream," "Science and Democracy in America," and "America's Destiny," and one essay attempts to answer the question, "Can American Democracy Point the Way?"

The author is concerned because no aspect of American practice is more widely misunderstood than democracy. Democracy, he says, was taken for granted, "endorsed without too careful attention to the contents of the bottle. We knew the prescription was good!" (p. 40). He explains American democracy largely by reference to leaders— Jefferson, Jackson, Lin-

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coln, and Bryan—and he concludes that: "Democracy is a method of surviving social change without revolution. That is the way of life. Any other way is, and always has been, the way of violence and of death" (p. 51).

Writing of "The Constitution and American Democracy," Professor Robinson states that the founders did not intend to give the people the power of a king. "They intended to erect a power that was, for a time, superior to any single element—president, Congress, court, or people. That is the Constitution" (p. 61). And then he adds a world for 1937: "Democracy under the Constitution . . . is engaged in a struggle for its existence . . . The enemies of democracy are equipped as never before, and they are reinforced by recruits and arguments from outside the United States . . . Two practices have accompanied our present unhappy condition of violence on every hand. One has been the assassination of character . . . Another has been the assumption of power by self-constituted bodies of citizens . . . " (p. 63).

Professor Robinson was doubtless inspired to "do something about" democracy, to come to the defense of it; but his essays are not particularly inspiring. To be sure, they contain some learning and some common sense, but they contain too many platitudes and truisms, and too many references to the "freedom of private enterprise," "individual opportunity," and the "American way of life." It is difficult at times to find the writer's meaning, but his most basic theme seems to be that democracy is a continuous process, that upon it we may build "a future in the image of our dreams . . . America means ever an unfinished story" (p. 124).

CLAUDIUS O. JOHNSON.

State College of Washington.

Arsenal of Democracy. By DONALD M. NELSON. (New York: Harcourt, Brace and Company. 1946. Pp. xviii, 439. $3.50.)

The first chairman of the War Production Board has rightly assumed that the prompt publication of his own account of his wartime experiences would be in the public interest. "Don" Nelson has more to tell than the story of American war production, though business administrators and economists will find here much of special interest to them concerning the management of war industries and the utilization of priorities and other industrial controls. The public at large, and above all political scientists, will be particularly interested in his version of the relations between the civil and the military authorities and in his justification of his efforts to maintain civilian control over the American economy.

Nelson shared Roosevelt's concern for the preservation of constitutional government even during an "all-out" struggle for national existence. He understood the difference between totalitarianism and a reign of law and was determined to exercise the extraordinarily wide discretionary

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authority conferred upon him by the War Powers Acts and the concomitant executive orders in accordance with the requirements of "due process" and not in an arbitrary manner. He had no sympathy with factitious demands for commodity "czars" and was unmoved by occasional clamor for an industrial "dictator." He was ever ready to delegate non-essential portions of his great authority in the interest of more efficient and responsible administration. But he clung with a resolute grip to the essential functions of his guardianship over the machinery of American production and distribution.

Such a course inevitably brought him into conflict with the military authorities dealing with the procurement of munitions and other war supplies. Some of the most powerful of these military authorities were the kind of men who make it important that the guardianship of the public interest be entrusted to civil officers who are vigilant and steadfast. Nelson was that kind of civil officer. His way was therefore hard. Knowing, however, that the President believed that letting too much authority gravitate to a military hierarchy was bad in a democracy, and that the civilian economy should be left in charge of civilians, he hewed to the line.

Nelson lost his final battle with the military over reconversion. This defeat has misled some critics of our wartime government into the error of condemning him as excessively pugnacious and insufficiently coöperative. The evidence does not support such a verdict. Nelson's relations with the heads of the other special civilian agencies were harmonious. He got on extraordinarily well with Congress. He was able to obtain the support of business men for his industrial regulations and orders. He had astonishingly little trouble with organized labor. He had no fights with the farmers. He seemed to please the general public.

Whether an equitable balance of power between the civil and the military authorities was maintained during World War II is a question which political scientists will wish to help decide. It may be an important practical question, if the years ahead grow increasingly difficult for the American type of democracy. This candid and revealing book contains essential evidence relating to that question and should be studied with care by all who would contribute to a better understanding of the American way in politics.

ARTHUR N. HOLCOMBE.

Harvard University.

The Fiscal Impact of Federalism in the United States. By JAMES A. MAXWELL. (Cambridge: Harvard University Press. 1946. Pp. xvi, 427. $5.00. Harvard Economic Studies, No. 79.)

In 1937, the Harvard University Press published, as No. 56 in the Harvard Economic Studies, *Federal Subsidies to the Provincial Govern-*

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ments in Canada, by James A. Maxwell. The same author and the same publishers have now produced the volume here reviewed. Together, the two contributions present the materials for an interesting comparison of the fiscal aspects of national-state and dominion-provincial relations in the United States and Canada.

About half of the present volume (Part I) is devoted to the financing of particular services. Defense is presented as a function that is almost one hundred per cent nationally financed and controlled, while justice and police in combination are offered as a function supported almost entirely by state and local governments. The other public functions (education, public assistance, work relief, public works, public roads, public health, unemployment compensation, and employment offices) are examined thoroughly and *seriatim* in order to bring out the national-state relations involved in financing and administering them.

Part II deals with more strictly fiscal matters such as the public domain, government instrumentalities, and the taxation of incomes, estates, and commodities. National and state powers of taxation and the conflicts that have developed over sources of revenue are analyzed with care.

The author has many shrewd and interesting comments to make on constitutional, administrative, and political questions, but in the main he hews close to the line of fiscal problems and impacts. In simple language and without any parade of learning, he has produced probably the best and most practical handbook of the fiscal aspects of national-state relations in the United States. At the same time, he has piled up a mass of evidence and illustrations that go far toward convincing the reader that most of the problems of federalism are primarily fiscal. This is probably an unavoidable result of any specialized account based on selected materials.

It is somewhat ungracious to find any faults in a work that is so well planned and well executed as this one is. The author's frequent reference to the United States as "a federalism" is something like referring to the U.S.S.R. as "a communism" *The Federalist* papers are best cited by number instead of by edition and pages. Alexis de Tocqueville's famous work is entitled *Democracy in America*, not *Democracy in Action* (p. 20, note 42), and the translator was Henry Reeve, not Henry Reeves.

But enough of such minor matters. At the end, in a preface, or somewhere else, one could have wished that the author had let himself go just a little to speculate on the broader implications of his work. Instead, he closes as he began, with conclusions that are almost entirely fiscal. From a scholarly and scientific viewpoint, this is as it should be, and even the pedestrian character of his suggestions for the piecemeal improvement of national-state fiscal relations can be forgiven because they are so thoroughly supported by his data and his argument. Let us hope that in some

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other place the author will set forth to the public the broader views on federalism that he must have developed while producing this excellent study.

WILLIAM ANDERSON.

University of Minnesota.

Monetary Policies and Full Employment. By WILLIAM FELLNER. (Berkeley: University of California Press. 1946. Pp. xx, 268. $3.50.)

The recent experiences of industrial economies have generated a reëxamination of the fundamental principles of economic analysis. The neo-classical school always had its critics, but they were not quite respectable in academic circles. The Great Depression, the war economies, and enlarged state trading have challenged the sanctity of the traditional equilibrium analysis. A whole system of doctrines has stemmed from the late Lord Keynes' suggestion that there was a possibility of a number of equilibrium positions in an economy and that none of them would necessarily be the equilibrium of the neo-classical school. In that equilibrium, the maximum utilization of resources would result from automatic adjustments through marginal returns. It is obviously a fact that the adjustments postulated in that theory have not coincided with recent experience. In order to explain this failure of the real world to reflect the expectation of the neo-classical economists, the new doctrines have emerged.

The present volume is a critical essay on the issues involved in that controversy. Mr. Fellner is a member of the Bureau of Business and Economic Research at the University of California, and the study is a product of that Bureau. The book, however, expresses Mr. Fellner's views and not those of the Bureau.

The study undertakes to do three things: it provides a critical analysis of the equilibrium principle; it challenges the thesis that there is a trend toward stagnation in mature economies; and it furnishes a discussion of policies that a governmental monetary authority may use to attain a reasonably satisfactory level of employment. On the last, the author maintains the fairly optimistic view that a monetary authority can successfully maintain a level of employment which would prevent abrupt institutional changes of an unpredictable character.

The study is replete with charts and statistical data which are not easily comprehensible to the novice in contemporary economic materials. Apart from that material, there is an excellent discussion of the accomplishments that may be expected from the various financial devices available to a monetary authority. Another great merit of the study is its treatment of the problems that can be expected to grow out of the politically powerful groups in modern society. The treatment of direct controls

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as an alternative to the indirect controls through monetary policy could be expanded and be made more useful to students of politics. On the whole, however, the volume will be welcome to those who want a greater comprehension of the intersection of politics and economics in its contemporary setting.

CHARLES B. HAGAN.

University of Illinois.

American Foreign Policy in the Making, 1932–1940; A Study in Responsibilities. By CHARLES A. BEARD. (New Haven: Yale University Press. 1946. Pp. vi, 336. $4.00.)

The ground covered by this book is not as broad as the title seems to indicate. The policy in the making with which it is concerned is that which led eventually to the entrance of the United States into World War II. Other important foreign policies of the United States, such as, for example, the Good Neighbor Policy and the Monroe Doctrine, are mentioned only incidentally. The particular purpose of the book is to examine the thesis that locates in the United States the responsibility for the policy eventuating in World War II. After a preliminary glance at earlier attitudes of Democratic leadership, the main body of the book is devoted to an examination of the policy of the Roosevelt Administration with reference to matters of war, peace, and neutrality from 1932 to and including 1940.

The method pursued is the citation of numerous public records and quotation from the statements of public men bearing upon these questions. The emphasis, of course, is placed upon the statements of President Roosevelt, especially as found in his "Public Papers," but considerable attention is given also to the statements of Wendell Willkie during the presidential campaign of 1940. Although the work is based mainly upon published records, occasionally statements are made which rest on unpublished materials, as in the case of the alleged efforts of the Roosevelt Administration to force specific kinds of statements into the Democratic national platform of 1940 (p. 290).

Any estimate of the forces influencing United States foreign policy necessarily deals with the so-called internationalist and isolationist views held by sections of the American public. Unlike many writers who use these terms, Mr. Beard carefully defines the sense in which he uses them. The term isolationism is, of course, not usually employed in the literal sense, and it is interesting to note that Beard's definition of this term includes the "pursuit of a foreign policy friendly to all nations disposed to reciprocate" (p. 17n.)

For the most part, Beard is chary about expressing his own opinion very directly, and is usually content to let his quotations speak for themselves.

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The general trend of these quotations during the years covered is indicated by the title of Chapter VII: "Hewing to the Isolationist Line." Beard points out that although President Roosevelt had stated that we would not send American boys to fight in foreign wars, nevertheless by 1940 he had taken the position that the United States should extend to liberty-loving peoples wantonly attacked by ruthless aggressors all the material aid at our command. This did not necessarily mean military aid, but many so-called isolationists felt that it was very likely to lead in that direction.

In spite of President Roosevelt's numerous statements prior to 1940 indicating a strong desire to keep the country out of war, he was opposed, as Beard points out, to the anti-war plank in the Democratic national platform of that year, even with its escape clause—"except in case of attack," and, in his acceptance speech, ignored this plank. This may seem to give the impression that by the summer of 1940 the Roosevelt Administration was bent on war. But the Administration's attitude regarding that plank, as also its advocacy of the repeal of the Neutrality Law, may be explained as motivated, not by a desire for war, but by a wish to avoid weakening the force of its diplomatic protests against the tactics of the Axis Powers.

The book contains no formal summary or conclusion, but ends rather abruptly with President Roosevelt's post-election fireside chat of December 29, 1940, in which he struck a note of doubt as to the ability of the United States to keep out of war and admitted that there was risk in any course we might pursue.

The purpose of the volume, *i.e.*, to ascertain where lay the responsibility for American entrance into World War II, cannot, of course, be fully attained by a consideration of American policy alone, for the responsibility rested largely upon the Axis Powers. The hope expressed in Washington's Farewell Address that we might be able to decide according to our own interest whether we should have peace or war has never been fulfilled. No matter how much a nation may retire within its shell and attend strictly to its own business, it cannot altogether avoid the possibility of attack by gangster nations. The consideration of the degree of responsibility of other nations for American entrance into World War II, however, did not come within the scope of the author's study.

It is well known that Professor Beard is inclined toward the so-called isolationist school of thought with reference to American foreign policy, and his book is written from that point of view. The author is naturally and perhaps unconsciously influenced to some extent by the personal equation. Obviously, there has been a selection of facts and quotations; and some of those omitted might have put a somewhat different complexion on the matter. Complete objectivity is difficult, if not impossible, to

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attain. This is true of any work dealing with political trends, and is especially true in the case of a work dealing with such an intangible matter as the forces influencing recent American foreign policy. This book, therefore, is probably not the definitive work upon the subject. Beard is able to see, but not quite to enter, the Promised Land. Nevertheless, he has placed scholars in this field under obligation to him because of the considerable degree of competence with which he has performed his task.

JOHN M. MATHEWS.

University of Illinois.

Theodore Roosevelt and the Progressive Movement. By GEORGE E. MOWRY. (Madison: The University of Wisconsin Press. 1946. Pp. vii, 405. $4.00.)

Henry F. Pringle, whose biography of Roosevelt was published in 1931, stated that while the executors of Roosevelt's estate had permitted him free access to the letters and papers in the Library of Congress, they had stipulated that nothing after March, 1909, was to be used. Professor Mowry was the first to use extensively the Roosevelt manuscripts after that date. He also examined other important official records hitherto unavailable, particularly the minutes of the Progressive party's executive and national committees. The greater part of his book is devoted to the period of Roosevelt's political activities after 1909.

In his preface, Professor Mowry sets a clear limitation to his volume. It is not a history of the progressive movement (reserved for another day); neither is it a biography. "Rather is it an attempt to study the influence of the man upon the movement and the movement upon the man."

According to the author, "the progressive movement was a great social reaction against the preceding age." Its spiritual and material beginnings far antedated Roosevelt, and its real seedbed was Populism, with its home in the Middle West. Roosevelt was among the few men in Washington who understood what was happening in the Middle West. An opportunist, the dominant urge in his character was his desire for power, a power to be used in the public interest. Another motivating force was his nationalism and his fondness for military command. Still another was his love for the Republican party and his disdain for everything Democratic. While these factors tempered his reforming spirit, Roosevelt sympathized with the underprivileged, and this basic liberal strain did much for the success of the progressive movement.

Professor Mowry traces in detail the developing coolness between Roosevelt and Taft, the organization of the National Progressive Republican League, the secession of the Roosevelt delegates at Chicago in 1912, the formation of the Progressive party, its nomination of Roosevelt, the campaign of 1912, Roosevelt's hatred of Wilson, his desire for the Republican nomination in 1916, the refusal of the Republican leaders to com-

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promise with the Progressives, Roosevelt's support of Hughes, and his break with the Progressives. He emphasizes the fact that Roosevelt, who in 1912 had upheld the Progressive party in its fight against crookedness, in 1916 opposed its continuance for the reason that it had fallen prey to "cheap crooks," and "cranks whose crankiness has in it something sinister."

Professor Mowry does not accept the traditional interpretation that Wilson won the vote of the West in 1916 because of his stand on the European War, but holds that "Hughes lost the West because he failed to win the support of the erstwhile Progressives." He cites California to support his contention, pointing to the fact that whereas Hiram Johnson received 300,000 more votes than his Democratic opponent, Hughes lost the state (and the presidency) by 4,000 votes.

Roosevelt's energies in his later years were directed toward the defeat of Wilson. He rejoiced in the results of the congressional elections of 1918 and looked forward to his own possible nomination for the presidency on the Republican ticket in 1920; but death intervened. Professor Mowry declares that with Roosevelt "died the last hope of effective progressive action in the Republican party for at least two decades." Not only was he the leader of the progressive movement, but by skimming off progressive talent to support his third party, he "contributed much to the conservatizing of the Republican party." Yet Professor Mowry concludes his story by giving Roosevelt credit for having played an important rôle in the evolution of progressive politics in the United States. He rates Roosevelt's New Nationalism as the forerunner of Wilson's New Freedom and Franklin D. Roosevelt's New Deal.

The book is a valuable addition to the growing literature on Theodore Roosevelt and his times. One could wish, however, that the thesis had been developed with less confusion of detail and repetition. Among minor errors is the reference to Clarence Mackay as "Clarence McKay" (p. 343).

EVERETT S. BROWN.

University of Michigan.

Alexander Hamilton. BY NATHAN SCHACHNER. (New York: D. Appleton-Century Company, Inc. 1946. Pp. vi, 488. $4.00.)

This book is likely to remain the definitive biography of Hamilton for a long time to come. Mr. Schachner spent more than ten years in its preparation. Of the fifty-five manuscript sources he lists, some thirty or thirty-one were not used by previous biographers of Hamilton. Others, including the Hamilton manuscripts in the Library of Congress, are exploited fully for the first time in such a work. In addition to manuscript material, the author used over one hundred printed original sources and over seventy-

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three printed secondary ones. On the basis of all this impressive research, Mr. Schachner is able to make many corrections in the standard editions of Hamilton's Works by J. C. Hamilton and by Henry Cabot Lodge. Yet this is all done without the slightest taint of pedantry or affectation. The material is marshalled with the skill of a master and the story told in good workmanlike prose.

It is because he had built on such firm foundations that Mr. Schachner is able to contribute to the understanding of Hamilton at so many points. The full treatment of early writings shows how soon Hamilton's ideas and statesmanship outlook were formed. There is a good account of the breach between General Washington and his secretary, the young Colonel Hamilton, and of the character of their future relations. Of particular interest to political scientists is the analysis of Hamilton's method of pushing his plans for the reorganization of the government under the Continental Congress and for calling a convention of all the states. The relatively small part played by Hamilton in the Philadelphia Convention is explained by Hamilton's unwillingness to compromise, a failing that was perhaps his greatest weakness as a politician. Nowhere is one likely to find a more succinct exposition of the great series of reports that followed Hamiton's assumption of the office of Secretary of the Treasury or a better picture of the guiding part he played in Washington's cabinet both before and after his retirement. There is fresh material on the connection between Hamilton and Fenno; while new light is thrown on the political manoeuvring prior to the election of 1796 and on the growth of Hamilton's "almost pathological concern over Burr." Even on relatively minor points, such as the affair of Mrs. Reynolds and the picture commonly presented of young Philip Hamilton, Mr. Schachner is fresh and judicious.

With this deep scholarship, Mr. Schachner combines judicious appraisal of character and political tactics. His method is mainly narrative and chronological, the story being left to point its own moral or suggest its own conclusion. But comment is by no means eschewed, and there emerges a well-rounded picture of Hamilton as man and politician, all done without idealization and without rancor. Full credit is given to Hamilton's services to the infant state, but we see, too, his defects as an American political leader and how these were related to the wrecking of the Federalist party. In particular, stress is laid on Hamilton's inflexibility, his inability to change with the times, and his failure to see how necessary it was to compromise if conservatism was to survive.

The political scientist will find this book valuable for its account of the politics of the day in New York and the nation, for its light on political methods of the time, for its treatment of Hamilton's part in the making of the constitution and in laying the foundations of our governmental

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machine thereafter, and for its judicious appraisal of Hamiltonian statesmanship. Everyone will enjoy it as the well-told story of a fascinating man.

THOMAS P. PEARDON.

Barnard College.

Elections and Representation. BY JAMES HOGAN. (Cork: Cork University Press. 1945. Pp. lv, 293. 15s.)

This volume by Professor Hogan is a significant, critical study of proportional representation. The first half deals with results in Eire since 1922, while the remainder is devoted to a more philosophical and historical treatment, with chapters on representative government, the evolution of parliamentary institutions, occupational representation, and totalitarian voting.

The operation of P.R. in Ireland is frequently cited by advocates as an outstanding success, and particularly in refutation of the principal criticisms of P.R. Advocates of P.R. have pointed with satisfaction to the experience in Ireland because it has not resulted in a multiplicity of parties, the party in power has usually had a clear majority of all representatives elected to the legislative body and thus has been able to carry through its program, and P.R. has succeeded despite the bitterly opposing factions at the outset which offered a serious threat to the stability and permanence of the constitution. For these reasons, this study of the results of P.R. in Ireland, by a person who is not an advocate, is of special interest to students of the subject.

The author poses three questions or criteria for his study, namely, (1) whether "P.R. in practice has proved to be a source of strength or weakness in the evolution of parliamentary democracy," (2) whether it compares favorably or unfavorably with the majority method of voting, and (3) whether the experience holds any clear lessons for the future. Obviously all three criteria are subjective, and deal with matters upon which there may be wide differences of opinion. The first criterion, however, reveals the major philosophy of the author, which runs throughout the volume, namely, that the fundamental test of a method of election and representation is not how perfectly or imperfectly it represents the will of the electorate (so far as that can be judged), but rather whether it promotes the establishment of a responsible government which can take effective action. Adequate representation the author regards as important and desirable, but only as a means of enabling the government to be formed and to take the decisions necessary to carry out national policies. Hence, if the choice is between one system which facilitates a high degree of representativeness of the legislative body and another which facilitates

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responsible governmental action and decision, the author would choose the latter.

The author believes that exactly this choice has to be made, and favors some modification of the P.R. system in Eire to give greater assurance in the future that there will always be a majority party with a sufficient working majority to govern. While critical of P.R., both on theoretical grounds and as to its operation in Eire, he does not advocate that it should be abandoned, but rather that it should be modified to make it more nearly like a system of majority election in order to assure that the majority party will have a working majority. The end of adequate representation he would like to achieve, provided responsible, effective parliamentary government is not impaired. He deplores the divisive influence of P.R. and its tendency to create minorities based on special or economic interests.

The author is careful to point out that the experience of Ireland since 1922 is subject to important qualifications as a test of P.R. In the first place, since there are fifteen constituencies with only three representatives in the Dáil, the system is not truly proportional. The author contends that P.R. in districts with only three members is not very different from simple majority voting. The result has been that the government party has always captured several seats beyond the number to which it would have been entitled under a truly proportional system. These extra seats at the expense of the minority parties has enabled the government to have a clear majority in several elections which it would not otherwise have had, and have always been a decisive factor. The author believes also that the existence of a party with a working majority during most of the period of the last twenty years in Ireland has been due to special overshadowing events and issues, and is not attributable to the system of representation, but obtained in spite of it. When these factors are no longer present, he anticipates that the true characteristics of P.R. will come into play, and coalition government will become the rule.

During the first ten years of the new government, the author points out, the Treaty issue overshadowed all others, and tended to result in a two-party system. In addition, the anti-Treaty party members elected to the Dáil refused to take their seats until 1927, giving the Treaty party a clear opportunity to form a government and to carry through its program without opposition. In the latter part of the period, economic differences with England, a very favorable treaty which the government was able to secure, and then the issue of neutrality provided the necessary unifying influence to overcome the divisive effects of P.R. Despite the decline of the Fine Gael party, which stands for participation in the British Commonwealth, the government party was barely able in the 1943 election to

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capture a majority, and was forced to call a second election within a year. The author doubts that the Fine Gael party will again be able to become an effective opposition party. During the war, it was put in the anomalous position of supporting neutrality and attempting to reconcile this position with its historic stand for close association with the British Commonwealth of Nations. While the party, after considerable delay and indecision, took these conflicting positions, the reconciliation was not a happy one, and the ideological basis for the party was greatly weakened.

The author challenges the claims which have been made for P.R. in Eire. Throughout the period, the party in control of the government has had a tenuous majority, and in 1927–32 a coalition government was necessary. Elections in Ireland have come in cycles of two, the second being necessary because the first did not yield the government an effective working majority. At the second election, the government party has always succeeded in increasing its strength to a point where it could carry on for several years, but never with a sufficient majority to carry through a strong policy. The author anticipates that coalition government, which he regards as unsatisfactory from any point of view, will in the future become the prevailing rule.

Mr. Hogan does not attribute the reconciliation of the bitter factions in Ireland, the resumption of normal life, and the relaxation of the tension which prevailed for a number of years, to the operation of P.R. On the contrary, he believes that P.R. did much to continue this strife, which would have been reconciled earlier under a majority system of voting. He does not believe, however, that the history of Ireland would have been different had a system of majority voting been adopted in 1922. The greatest merit he finds in P.R. is that it resulted in the election of members of the Labor party who could never have been elected under a system of single-member constituencies, since Labor has been in the minority in every district from which it elected representatives. The Farmer party he considers based on narrow, selfish economic interests and inimical to the national interest.

In his theoretical treatment of the bases of representation, the author challenges the underlying philosophy of P.R., taking much the same position as that of Hermens, Laski, and others. Representation he regards as a means of achieving the end of responsible parliamentary government. The purpose of elections and representation is to enable the electorate to establish a government which can make the necessary decisions and carry out national policies. If representative government is weak, divided, and unable to carry out national policies, its fundamental purpose is defeated, regardless of how accurately it is supposed to represent the electorate. Furthermore, the method of elections, according to the author, is a powerful, and even determining, factor in political alignment and issues. P.R.

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leads to, and even forces, the division of the electorate into small, irreconcilable minorities with particularized policies and programs, while majority voting operates to force the electorate into two major parties, each of which must formulate a program broad enough to appeal to the electorate generally instead of to special interest groups and minorities. Majority voting through single-member constituencies normally brings about a majority party with a large enough majority to govern. This is achieved through the under-representation of minorities, who thus are forced to combine with other opposing groups into an opposition party. But the result is the establishment of a responsible government which can govern until it accumulates sufficient opposition to be overthrown by the opposition party.

The value of the volume is impaired by many of the conclusions being based on speculative reasoning as to what would have happened had a system of majority voting prevailed. Nevertheless, the author makes a convincing case for his major thesis that P.R. has weakened rather than strengthened effective parliamentary government, and that in the future coalition governments will probably become the general rule if the present system is continued unchanged. It is regrettable that the study throws little or no light on such problems as the effects of P.R. on party organization and leadership, party voting in the Dáil, campaigning, voting, and others.

JOSEPH P. HARRIS.

University of California.

British Security; A Report by a Chatham House Study Group. (New York: Royal Institute of International Affairs. 1946. Pp. 176. $2.50.)

The imprimatur of the Royal Institute of International Affairs has long been a hall-mark for quality in studies of foreign affairs. One welcomes, therefore, the reappearance of its valuable studies, and this little volume is a worthy addition to the number. Its purpose is to outline succinctly the strategic situation of Britain in the various areas of the globe. After brief historical perspective, the new setting and future prospects are considered. In this connection, it is apparent that much of the work of the study group was done before the implications of the atomic bomb could be fully considered. The topic is not omitted; but after recognizing the difficulty of forseeing the future, the conclusion is reached that the atomic weapon has made cohesion among the Powers in some sort of international organization even more apparent. This is a theme to which the whole study consistently points, yet the group proceeds to analyze the problem of Britain's security essentially from the point of view of the pre-atomic world.

The basis of the study is a regional consideration of the problem, but

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related to what is taking place elsewhere. However, the term "regional," it is wisely pointed out, should not be given an exclusively geographical connotation. Hence the United States, while possessing no territory in the Middle East, has other interests which invite her participation in any settlement there. The group does not share the fear of some that the increased participation of the United States in world affairs will mean a swing from isolationism to economic imperialism. Rather, it is suggested that its main feature will be a restatement of the Wilsonian doctrine.

The chapter on "Britain and the Commonwealth" is the most disappointing, for it is somewhat superficial and lacks any freshness of approach. On the other hand, the chapter on "Britain and Russia" is marked by frankness and clarity, and at the same time by a degree of careful statement that should forestall antagonism. While recognizing the inherent difficulties in reconciling apparent differences, the group is optimistic.

American readers might disagree with the contention that when Japan attacked in Manchuria in 1931 the shortcomings of international action were due "to the failure of the United States to give any effective support." How far the United States was prepared to go beyond the Stimson doctrine is not clear. But all will agree with the study group when it adds criticism of "the half-hearted attitude of the members of the League themselves."

The conclusions of this study can best be stated in its own words when it calls for "a clear and consistent foreign policy, based primarily on the maintenance and strengthening of the international organization as constituting not only the logical development of British political institutions and beliefs, but also the best prospects of her peace and prosperity as well as those of other nations."

LIONEL H. LAING.

University of Michigan.

Canadian Representation Abroad. BY H. GORDON SKILLING. (Toronto: The Ryerson Press. 1945. Pp. xvii, 359. $3.50.)

This is the first of a series of monographs which the Canadian Institute of International Affairs is publishing on different aspects of international affairs of special Canadian interest. The Institute is to be congratulated on this first outcome of its planning. Dr. Skilling's book sets a high standard for the monographs to follow.

Canadian representation abroad is rightly treated by the author as more than merely diplomatic representation in the old narrow sense of the word. Thus the book devotes the first two chapters to emigration agents from 1868 onwards, and commercial agents from 1886. The last chapter brings in the story of the vast extension in the machinery of external representation caused by the war. The other chapters are devoted to the

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two aspects that form the main substance of the story: (1) the building up of the special inter-Commonwealth quasi-"diplomatic" system of representatives and inter-communication; (2) the rise of the Canadian diplomatic service in the United States and foreign countries. An appendix gives a useful chronological list of Canadian representatives from 1869 to 1945. The book was completed, as the preface shows, at the end of 1944.

All students of the British Commonwealth and Canadian history will find much of interest in this careful and scholarly study. The author's hard work on the documents and records of nearly three generations of Canadian history has produced the first clear picture of the development and structure of the machinery of Canada's external relations—both of the External Affairs Department and the foreign and British Commonwealth services.

It must not be taken as detracting much from the solid achievement of the book—for the reviewer was once himself guilty on the same count—to say that it is written too much under the influence of symbols like status, sovereignty, diplomacy, that belong to the history, ancient and modern, of the warring state system. They are somewhat alien to the peculiar family system of the British Commonwealth and are responsible for a certain amount of historical distortion. It is perhaps because of the unconscious influence of such symbols that there seeps in at many small joints in the book a somewhat stale and negative atmosphere that rather blurs the true perspective of British Commonwealth history. Dissidence, and the uneasy preoccupation with status, and suspicion of motives and intentions of elders which comes with adolescence, have their place in the story. But are they not rather over-emphasized by unconscious emphasis and omission? Was not the great and difficult transition from colony to independent adult dominion accomplished with remarkable smoothness and with much discreet understanding and helpfulness on the part of the Mother Country? And in a long and mature view, should not the inevitable petty frictions and misunderstandings of the process be relegated already to the small corner to which they belong?

Thus one would like to see in a study of this kind more attention given to something very much taken for granted, namely, the services given so long and silently to the immense benefit of generations of Canadians by British embassies and consulates all over the world. Canada took over from them, and this background deserves a larger place in the history.

The political leaders of the Commonwealth like General Smuts, Mr. Mackenzie King, and Mr. Curtin have shown an understanding in our time of the nature of the family system that made this kind of thing possible. That understanding is reflected in the speeches of Dominion prime ministers back through the Imperial Conferences to the first one in 1887. Incidentally, these conferences were not due to "unofficial discussion of

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the project of imperial federation," as Dr. Skilling seems to suggest (p. 144). They were in the nature rather of family gatherings linked usually with events in the life of the common sovereign—the "head of the family," in the language used freely at such conferences.

Parliamentary Conferences find no place in the book. Yet Canadian representation at British Commonwealth Parliamentary Conferences is more important than a good many of the things that the book gathers into its net.

The last pages dealing with the nature and working of the war machinery at Washington is a part of the subject on which only the most meager information was available to historians when Dr. Skilling finished his book. The intermeshing of American administration with British in the war was perhaps even closer than with Canada, and that over a wider field. The smooth and intimate coöperation between the Canadian embassy and civilian and service departments on the Canadian side in Washington was not "unique," as he suggests. At least an equal degree of harmonious working relationships was achieved between the parts of the far larger and more intricate British wartime administration in Washington. On one page, the author implies that the Combined Boards possessed "supreme authority in war strategy"; on another, that they were "merely advisory agencies." The latter is nearer the mark. The Boards did not mean a "monopolizing of decision" by Britain and America, since where other Powers were involved their consent was sought and obtained. The Boards' writs ran only by consent. There was in fact for this reason little or no serious objection to the restricted membership of the Boards. But these are points for the second edition which the book deserves soon.

H. DUNCAN HALL.

Washington, D. C.

The Meeting of East and West; An Inquiry Concerning World Understanding. By F. S. C. NORTHROP. (New York: The Macmillan Company. 1946. Pp. xxii, 531. $6.00.)

In a world which literally trembles with ideological conflict, and in which "it is hardly likely that these sources of conflict can be faced and removed *in practice* within the halls of parliaments and the heated actions of the market place, where slogans are carelessly bandied about, special interests are at work, and passions are easily aroused," Professor Northrop believes that our problems must "first be traced to their roots and then resolved *in theory* within the calmness of the study where the meaning of words like 'democracy' and 'communism' can be carefully determined and the issues which they define can be looked at more objectively." It is this task of fusing ideas, difficult, and of first importance not only as between democracy and communism, but also as between the more important con-

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temporary meeting of the cultures of the East and West, which forms the subject of this arresting and stimulating book.

The treatment falls into two major parts. The first is an exposition and analysis of the differing ideological assumptions of the major peoples and cultures of the West. These include the rich culture of Mexico, the free culture of the United States, the unique elements in British democracy, German idealism, Russian communism, Roman Catholic culture, and Greek science. The author then weaves these component substances into a synthesis of the meaning of Western civilization.

The second part treats similarly the major peoples and cultures of the East, resolving the constituents into a chapter on the meaning of Eastern civilization. Combining then the ideological assumptions of the traditional East with those of the traditional West, the study leads to understandable explanations of the behavior of contemporary India, China, and Japan. From here on, Professor Northrop proceeds to a statement of the basic ideological conflict between the traditional East and the traditional West, and to a solution that "defines a more inclusive truly international cultural ideal which provides scientifically grounded intellectual and emotional foundations for a partial world sovereignty. This ideal defines the criteria also for relating democracy and communism, Roman Catholic medieval and Protestant modern values, and Occidental and Oriental institutions so that they support and sustain rather than combat and destroy one another." Such is the immense undertaking compressed within the covers of this volume.

The contributions of this book are so many and so vast that no detailed presentation of them can be given here. While the author is concerned principally with the development and meaning of the world's great philosophies in theory, his pages are likewise rich in down-to-earth practice, whether it be in history, politics, economics, religion, art, or science. The major theme which runs throughout is that our philosophical, metaphysical, and religious values must keep pace with the development of scientific theory. It is right here that Professor Northrop's conclusions will be met, as they have been in the past, with the most persistent opposition by all traditionally-minded groups and by the theistic religions which "all tend to regard religious views other than their own as heathen, erroneous, or inferior," and forget, as they seem to do, that "when they admit God to be omniscient they mean that he knows all the sciences and is a thinker."

The incisive analysis which Professor Northrop brings to bear on the roots of contemporary problems strikes with equal force in the world of politics, economics, and nationalism as in the world of religion. What he demonstrates is that when the scientific knowledge of these times has captured a man's mind "so that his intelligence tells him one thing and

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pushes him one way, and his emotions and habits attached to outmoded incompatible scientific, philosophical, and theological doctrines push him another way, then he is a frustrated man, divided against himself." This is the stuff, as the author so clearly indicates, of which the fall of France was made. France had accepted modern science and philosophy with their attendant democratic ideology, "while at the same time retaining the medieval Roman Catholic religious forms that require for their justification the Aristotelian scientific and philosophical principle, which contradict those of modern science and philosophy at many points." Likewise, it is made quite clear that the traditional Anglo-American Lockean and Humean *laissez-faire* philosophy and the Kantian and post-Kantian moral "idealistic" philosophy of the practical reason are as outmoded as Aristotle.

The ultimate solution, as Professor Northrop sees it, lies in the discovery that each Western philosophy has produced some elements of value. These values constitute the common denominator of Western civilization revealed through the Western method of fashioning theories about the nature of things and then testing these theories by observation and experiment. These values are not in conflict, but are complementary to the peculiar genius of the East, which is to dwell on the immediate and sensible fact sensed in the emotional or aesthetic world.

It is to be regretted that this book in its present form will not meet the wide audience which it deserves, for the reason that the style and vocabulary are exceedingly involved and technical for the general reader. What is now needed is a version in the language of the layman; for the things that Professor Northrop has to say need to be said clearly and simply to men everywhere.

PAUL H. CLYDE.

Duke University.

Europe in Revolution. BY JOHN SCOTT. (Boston: Houghton, Mifflin and Company. 1946, Pp. xii, 274. $3.00.)

That the Second World War was part of a world-wide social revolution as much as a contest between nations and political systems has often been stated, and in his *Europe in Revolution* John Scott sets forth the case convincingly and with much factual detail. About one third of his book is a journalistic account of developments in the countries of Northern Europe, in Germany and Russia, while the European war was in its final stage, with a brief but lucid chapter on the crisis and reorientation of Britain to complete the picture. Some of the material presented is of considerable interest, e.g., the account of a conversation with Von Trott, one of the leaders of the conspiracy against Hitler in July, 1944 (pp. 178 ff.), and the volume may be regarded as a preliminary history of the period of

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Germany's collapse and its early repercussions in neighboring countries. Moreover, it sheds light on the position of Russia and the Communists vis-à-vis Europe and all Western countries. Economic and social factors are emphasized as making for a radical reversal of values in the old continent and for a new orientation in world politics.

As for the German question, it is held to be secondary to the necessity for preserving unity among the Great Powers; but Germany's definitive disarmament and her integration with a reconstructed European economy remain outstanding problems. It is noteworthy that even such a keen observer as Scott over-estimated the possibilities of anti-Nazi uprisings before and after defeat; yet the story of the gyrations of the German mind in the final stage of Nazism is effectively told. Nazism, too, is seen as a partial phenomenon in the "Great Collective Revolution" extending all over Europe and including, in varying degrees, the whole Western world. The effects of changes in property structure and ownership engendered by the war are brought into political focus. Class antagonisms are presumed gradually to lose their importance, as compromises between extremes of individualism and collectivism lead to a more stable equilibrium than Europe has seen in many decades. In this development, the Communist parties in the several countries of Europe may have a special rôle to play if they do not repeat the "disastrous stupidities" (p. 49) of the past. Today they are largely reformist after the pattern of the Social Democratic parties of the inter-war period. "But whatever the Communist parties may do or not do in Europe, the leftward trend goes on."

While the problem of Europe's unification has been "irreparably" bungled by the Germans, there is hope in the United Nations. The main problem, however, is "what, specifically and concretely, must be done by America to help prevent the postwar period from becoming another prewar period?" Since the book was written before Potsdam and the defeat of Japan, it is especially interesting to note how the author, who has spent many years in Russia, interprets Soviet policy and tries to answer the all-important question of future Soviet-American relationships. Scott recognizes that Russia's trend has been toward conservatism and nationalistic isolationism since the "Revolution" ran out its course. She will insist on a security belt of "friendly small nations" as her foremost peace aim, as long as there is no international security organization that could actually check any of its component parts. Russia's "three-dimensional foreign policy" is directed toward utilizing national and class currents in other European countries, but only to insure "peace and stability in Europe and, if possible, throughout the world" (p. 73). Since the Soviets will need at least twenty-five years for their own reconstruction and development, they will be inclined to collaboration rather than to foster revolution, wherever that seems possible without jeopardizing Russia's self-

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defined aims. In the end, Scott believes, she may even grant Europe the federated or unified type of government that would guarantee peace and prosperity. This is a hope; its realization depends on the attitude of the "capitalist world" toward Russia's "natural program."

America, whose policy toward Europe has been negative in the past, must recognize the unalterable fact that a thoroughgoing social change has occurred in the old world and that Russia is the strongest nation there. The real danger-point in the relations between Russia and the West will be reached in a generation. A cataclysm can be avoided if Russian mistrust and pride, and American ignorance of Russian motives, can be overcome. Likewise a levelling off of differences between the capitalist and socialist systems of economy is necessary and possible. American policy in Europe must be, under these circumstances, (1) to support popular governments everywhere; (2) to view realistically the conditions which determine the evolution of Europe's economy; and (3) to make the American economy work so that "peaceful competition" between the modified socialism of the Soviet Union and a modified capitalism in Britain and the United States will ensue. If America succeeds in "untangling the knotty contradictions between freedom and organization," she will make a decisive contribution toward ensuring the rights of all men.

There are other valuable suggestions in the book, such as the one regarding the feasibility of greater understanding through the press (p. 256 f.). The analysis is on the whole sound and fairly balanced, although certain historical analogies introduced by the author appear somewhat questionable; for some of the less known facts, one might wish to have documentary references. Inevitably many questions arise that cannot be answered now. For instance, could the collectivist trend in Europe develop much farther without causing another upheaval that would break up the nation-state everywhere on the continent? This seems one of the main problems of Europe now as ever in the modern epoch. And will the Communists of the Western countries rise to the occasion by playing a constructive part in the new order of things, or will they continue fixing their eyes on a Russian "example" which in many respects has long outgrown the shape of their dream-visions? Finally, will both the Soviet Union and America be prepared to face the issue of collaboration in terms suggested by the author? Only then, it seems, might Europe find opportunity to achieve the synthesis of its diverse forces, which would raise her again from a state of revolution to one of positive civilization.

HENRY P. JORDAN.

New York University.

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Central-Eastern Europe; Crucible of World Wars. By Joseph S. Roucek and Associates. (New York: Prentice-Hall, Inc. 1946. Pp. xii, 679. $5.00.)

Unlike other books, those written by several writers must be prepared to face a hostile attitude on the part of those critics who find it difficult to reconcile scholarship with the joint efforts of a dozen writers bound in one ordinary volume. The present work is no exception. Yet it is difficult to see how any one man could have even attempted a work of this scope. The book deals with the historical, political, and social development of fifteen countries, including the traditional central European states, Russia, the Baltics (including Finland), and the Balkans (including Turkey). The opening chapter on the historical position of Central-Eastern Europe in world affairs prior to 1918 is followed by individual chapters on each of these countries, covering basically the same period. Separate chapters on each of the states for the period 1918–45 are preceded by a chapter on the international relations of the area during the twenties and thirties. This break in continuity of treatment of the individual states will disturb some readers. The latter part of the book deals with German and Russian occupation of Central-Eastern Europe, governments-in-exile, and economic problems of the area, with a final chapter entitled "Russia Over Central-Eastern Europe."

That a good deal of pertinent information on this critically important area is here brought together cannot be denied. The ambitious scope of the work, however, has resulted in many important topics receiving less than a page of space. And while the conviction of the writers that this part of the world has received inadequate treatment in the West, to say nothing of understanding, cannot be questioned, it is doubtful whether this work will have a wide audience outside academic halls. For serious students interested in the area, here is a store of neatly packed information, including bibliographies for further reference. But the ordinary reader is not likely to be attracted by it. In view of the controversial nature of many of the problems affecting the area, the writers display a remarkable amount of objectivity. The chief criticism of the work, in the opinion of this reviewer, is that for someone who wants to know about these states as they now are, the book is largely out of date. But this is the risk that all such books, published in periods of rapid and marked transition, must take.

There are some statements of fact and interpretation that are open to serious question. It is hardly correct, for example, to state that the Croats and the Slovenes formed the bulk of the Partisans in Yugoslavia (p. 623), when as a matter of fact the Serbs for a long time were in a majority in the Partisan movement. Neither is it precise to state that "no American reporters were permitted" in Bulgaria within a few months of its occupa-

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tion by Russian troops in 1944 (p. 297). Few historians will fail to perceive the misplaced emphasis in the statement that Serbia's "hatred for Austria was the spark that started the conflagration" (p. 192). And the statement that the German-Soviet non-aggression pact of 1939 "was the determining factor in unleashing the war of 1939" (p. 442) is not likely to go unchallenged. With equal logic, the same could be said of the failure of the British and the French to heed Moscow's warnings prior to and during the first part of 1939 concerning the imperative need of an anti-Hitler coalition.

On the technical side, it would have been desirable to have a more careful reading of proof, as well as more attention to the spelling of names. Thus Gubets is spelled "Gupets" (p. 201), "Korochets" on p. 203 becomes "Koroshets" on p. 508, and David Dallin, who is cited several times, is listed on the final page as "Dallan."

Some of these criticisms might be made of almost any book that comes along, and they should not detract from what is an extremely useful collection of material about an area not only little understood but also misunderstood, but an area which for us will increase in importance and to which we shall need to devote more of our energies.

ALEX N. DRAGNICH.

Western Reserve University.

The Nuremberg Trial and Aggressive War. By SHELDON GLUECK. (New York: A. A. Knopf. 1946. Pp. xii, 121. $2.00.)

This little book is designed as an answer to jurists who have denied that international law affords a substantial basis for those counts in the indictment of the German war criminals which charge the defendants with launching a war of aggression. Professor Glueck is confident that it does so. But since this conclusion differs from a previously announced judgment on the same question, the reader is apprised in the first chapters of the reasons inducing the change of viewpoint. Briefly stated, the later judgment is explained as based on a consideration of the possibilities of customary law—possibilities which were presumably overlooked in arriving at the first judgment. Thus, after acknowledging *inter alia* that a strict interpretation of the Pact of Paris would be of dubious avail, he continues (p. 5): "However, further reflection upon the problem has led me to the conclusion that for the purpose of conceiving aggressive war to be an international crime, the Pact of Paris may, together with other treaties and resolutions, be regarded as evidence of a sufficiently developed custom to be acceptable as international law."

Regardless of the merits of the main argument, most jurists will find this use of custom hard to follow. Apparently, Professor Glueck has it in mind to accomplish two things by couching his argument in these terms.

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First, he wants a basis for including admittedly ambiguous international agreements, such as the Pact of Paris, in the accumulation of evidence favorable to his point of view. Second, he wants to include non-ambiguous agreements and/or proposals for agreement which, however, either were not ratified at all or were accepted by only a few of the leading Powers.

Now the first objective is certainly illegitimate. It is simply misleading to confess in one breath (as the author does) that the prevailing view of the Pact of Paris was against its construction as criminal legislation—and yet to persist in citing it to the contrary effect by calling it evidence of custom.

As for the second objective, there would seem to be no reason why the evidence the author desires to cite should be expressed as custom in order to make it admissible for what it is worth. Thus it is confusing to say (p. 26) that violations of the various pacts in question may not constitute international crimes, but violations of "widespread custom . . . to enter into [such] agreements" do constitute such crimes. Since it is not contended that any other international accords than those the author has already referred to were ever made, it is evident that "widespread custom" is a kind of *brutum fulmen*. Presumably all the author need say here is that, considered collectively, the said agreements may spell out liability, even though no one of them taken alone will suffice. There is no reason to suggest that he has found a basis of liability outside of, and in addition to, the pacts themselves.

A legitimate appeal to custom or usage as a separate source of liability in the present context would require reference to a number of occasions when the leaders of defeated aggressor states were actually tried, convicted, and punished for conducting such wars. The fact that there are no such instances would seem to deprive Professor Glueck of any argument from custom. In fact, even Prosecutor Jackson's statement of the Nuremberg issue makes it clear that the only "custom" which can be adduced in favor of liability is that then and there "instituted" by the victorious allies. In other (and less fanciful) words, international usage is definitely *against* the kind of liability sought to be imposed, and the real question is whether various relatively contemporary statements in favor of liability are sufficiently clear to offset this settled usage to the contrary.

Professor Glueck's unorthodox appropriation of custom for his side enables him to avoid this burden of proof, but the argument otherwise proceeds normally enough in four stages. In Chapter 3, it is concluded that aggressive war has become an international crime. In Chapter 4, it is concluded that the act of state doctrine (which would exclude individual liability in the case of acts for which a sovereign state assumes responsibility) is "bad law." In Chapter 5, it is concluded that there is no general principle precluding the application of international law to individuals.

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In Chapter 6, it is concluded that the spirit of *nulla poena sine lege* is not being violated in the instant case.

The evidence for the first step in the argument is marshalled under nine heads, with the language of various treaties and draft treaties cited. The collection is impressive and clearly indicates that the draughtsmen of many international documents in the decade between 1923 and 1933 were prepared to condemn aggressive war as a crime almost, if not quite, as readily as they proclaimed its simple illegality.

The problem of securing individual liability in the face of the act of state doctrine is not so readily answered. In fact, Professor Glueck does not cite a single instance prior to the recent war in which it was even suggested by responsible statesmen that the crime of launching an aggressive war might be imputed to agents of a guilty state. So the argument proceeds, perforce, by indirection.

One such indirect method consists of citations of discontent with the act of state doctrine as applied in such cases as McLeod's. Another is to argue that act of state applies only to peacetime relations. Still another is to point out that violations of the laws of war are treated as individual crimes regardless of the attitude of the offender's superiors.

The author's final comments, however, strongly suggest that he finds act of state pretty strongly entrenched in existing law; for he says (p. 58): "If a doctrine so contrary to reason and justice has indeed been accepted as unconditionally valid international law, it is high time the error were remedied." And again (p. 59): "The idea that the act-of-state doctrine is universally and unconditionally operative is simply bad law; and bad law should be replaced with good law." One may or may not agree with him in these strictures; the fact remains that no repudiation of the doctrine in its application to the type of case under consideration had been made prior to the last war.

The objection that international law can never be applied directly to individuals is more easily dealt with. In fact, few authorities would today defend such a sweeping assertion. Moreover, violations of the laws of war may now very probably be regarded as fully implemented individual offenses with or without the intervention of any municipal legislation. The author is, accordingly, thoroughly justified when he asserts that the mechanics for assessing individual responsibility under an international criminal law have already been, if not perfected, at least set up.

Yet Professor Glueck is on highly dubious ground when he suggests that this circumstance implies acceptance of an individual liability for making war. The laws of war assume the legality of war. The international criminal law which the author urges assumes the illegality of war. Enforcement of the laws of war thus bespeaks a general attitude distinctly unfavorable to recognition of war itself as a crime. Typically, those who have been

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most concerned with the development and enforcement of the laws of war have been least favorably disposed toward the recognition of aggressive war-making as an individual crime. I mean professional soldiers.

It is accordingly somewhat ironical to infer from the judgments of courts made in furtherance of the first aim an endorsement of the second aim. No doubt it would be going too far to say that reliance upon the laws of war is logically inconsistent with the "outlawry" of war. The New York Boxing Commission might, for example, be authorized to enforce rules of fair competition for illegal prize fights. The point remains that we do not normally outlaw enterprises which we are busy regulating. Thus, even if we accept declarations of the criminality of aggressive war at their face value as good international law, the fact that such declarations have been implemented in the manner of the laws of war can hardly be regarded as mere oversight.

In his concluding chapters, Professor Glueck turns to the problem of *nulla poena sine lege*. This principle, he maintains, is designed to protect deserving defendants against arbitrary action. The German defendants here are palpably not deserving. They have themselves violated all the laws of God and man, and are entitled to no mercy. Furthermore, they are subject *by the law of war* to whatever disposition the Allies choose to make of them. Consequently it is not in their mouths to complain if their trial lacks some of the niceties of legal procedure enjoyed by the ordinary run of criminals.

With most of this the reviewer is in complete agreement, but it leaves him wondering whether Professor Glueck is not confusing punishment according to one's deserts with due process of law. Moreover, this reference to due process of law suggests one closing remark: Why do defenders of the "legality" of the Nuremberg proceedings pay so little attention to the character of the tribunal involved? After all, the legality of a situation depends quite as much on the existence of what a recent writer has called the litigious equation as upon the existence of rules covering the conduct of the defendants.

KENNETH C. COLE.

University of Washington.

BRIEFER NOTICES

AMERICAN GOVERNMENT AND POLITICS

Where Cities Get Their Money (Municipal Finance Officers Association, 1946, offprinted, pp. x, 229, $5.00.), by A. M. Hillhouse in collaboration with Muriel Magelssen and other staff members of the Municipal Finance Officers Association, comprises the eighth basic study of municipal revenue undertaken by that organization since 1935. MFOA continues not only to do business, but to produce research of exceptional quality.

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Like its predecessors, the present study was designed first and foremost to serve the needs of members of the Association, but, like them also, it contains much of solid value for professional students of municipal government. To say that the timing of the report is well-nigh perfect is to say the obvious. All over the United States and Canada, cities are facing the need to raise new revenue and the question is how—for it is only too clear that they cannot easily get additional money through their mainstay, the general property tax. As Carl H. Chatters, MFOA's executive director, makes clear in his foreword, however, it is not the Association's intention in presenting this survey of ways by which American and Canadian cities have been broadening their revenue base to encourage municipalities to balkanize their revenue pattern. Its aim has been to show the most common sources of municipal funds outside the property tax and to offer some appraisal of them, both in terms of yield and in terms of social theory. Separate chapters, each with its own tables, are devoted to an analysis of nine such sources: (1) amusement taxes, (2) licenses, (3) consumption taxes and revenues, (4) motorists taxes, (5) other locally administered taxes, (6) revenues from public utilities, (7) special charges, (8) miscellaneous local revenue sources, and (9) shared taxes and grants-in-aid. The report ends with two chapters of a quite different character, one dealing with practical administrative problems and the other with the question of how individual cities may tailor their revenue systems to their peculiar conditions and circumstances. There are two appendices, a selected bibliography, and an index. Here, in short, is a study which needed to be made, which could not have been done except through the combined efforts of many people linked together by such an organization as MFOA, and which has been done so well that it is certain to be used as a basic reference work in municipal finance for at least a decade.—JOHN A. VIEG.

The American Institute of Public Opinion has published in one volume a compilation of election data and, with the objective of providing some insight into personal factors behind election returns, the results of selected public opinion polls. This book, *The Gallup Political Almanac for 1946* (Princeton University Press, 1946, pp. 273, $7.50) will prove particularly useful to research workers and writers, to teachers of political science, and to politicians interested in a statistical analysis of recent political trends in the United States. Material, some of which was not available in published form, was assembled from a half-dozen or more different types of sources. Election returns are expressed in percentages of the total vote rather than in terms of majorities, for the very good reason that the latter do not constitute a reliable index to the relative strength of the contending parties. Several references to especially interesting or important sections of the volume will serve to illustrate its contents. A major portion of the

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volume is taken up with a section devoted to miscellaneous information on the various states, including data, by counties, on major-party voting strength in the past three presidential elections. Information is presented, apparently for the first time in one place, on the relative strength in cities of 100,000 or larger in presidential elections since 1932. An analysis of group and sectional voting differences in presidential contests since 1936 indicates differences between economic groups to be greater than between geographic sections. Material is given also on the independent and labor vote in selected elections, on voting in 1944 by members of the armed forces, on the extent of political information among voters, on voting participation in selected presidential and mid-term elections, on the vote for minor parties in presidential elections since 1900, and on the state-by-state vote in the three-party presidential races in 1912 and 1924.—PAUL KELSO.

The Municipal Year Book, 1946 (International City Managers' Association, 1946, pp. 593, $8.50), edited by Clarence E. Ridley and Orin F. Nolting, and now in its thirteenth year of publication, is the authoritative annual résumé of activities and statistical data of American cities. The volume does not pretend to answer every question that might confront local public officials, students of government, and others vitally concerned with municipal affairs. Nevertheless, in it may be found thousands of pertinent facts and statistics on individual city activities, with special analyses by city population groups. Urban redevelopment, municipal airports, and off-street parking lots are some of the new topics now treated. In the city planning section, with its regular features brought up to date, are reported the financial and administrative tools available to private and public urban redevelopment agencies. Data on airports in cities of over 25,000, and terminal airports in cities of from 5,000 to 25,000, population are presented—ownership and operation, longest take-off length, number of commercial hangars, and other characteristics. Cities operating off-street parking lots and their capital cost, parking fees, limits on parking time allowed, and capacity, are also listed. The personnel data are greatly expanded, reporting veterans preference allowed in cities, Saturday work schedules for office employees, vacation and sick leaves, and extent that unskilled laborers are on annual wages. There is also the regular information on number of employees, amount of payrolls, work hours per week, methods of overtime pay, retirement systems and employees groups covered, employee organizations, and civil service. The economic classification of cities, introduced in the 1945 *Year Book* and so essential to the interpretation of data on municipal activities, has been brought up to date. Every city of over 10,000 population is classified according to its chief type of employment, principal industrial or

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commercial activity, and the relationship between the number of people working in the city and the number living there. Another regular feature—the section on governmental data—now reflects the latest changes in city population, form of government, number of councilmen, terms of office and salary, types of election, and utilities owned. In this period of overhauling local ordinances, weeding out obsolete rules and regulations, and strengthening local powers, the section on model ordinances and references to information on service standard provides a rich source of easily tapped information. Also useful are sections containing data on cities levying sewer rentals, refuse collection charges, important court decisions of 1945, and the directories, containing over 8,000 names of the chief city officials in cities of over 10,000 population.—F. A. O.

The current heavy dip in the security markets gives current interest to *The Regulation of the Security Markets* (The Brookings Institution, 1946, pp. vi, 126, $2.00), by Willard E. Atkins, George W. Edwards, and Harold G. Moulton. Preliminary chapters indicating an expansion of security flotations for a predicted three years' increase in business enterprisers' capital requirements are made the basis for the authors' over-all conclusions that modification of governmental regulation is desirable to meet a tighter supply of investment funds following World War II. After indicating briefly the types of control provided in the federal regulatory acts of 1933–40, the authors in non-technical terminology recommend, *inter alia*, that the Securities and Exchange Commission limit its objectives to prevention of fraud and provision of adequate information as to issues without getting into the approval of securities, that it permit stabilization of securities under present SEC regulations during the flotation period, that insurance companies and commercial banks be brought under the SEC's jurisdiction to even competition with investment bankers, that present regulations not requiring mandatory competitive bidding be continued, and likewise the non-segregation of the underwriting, purchasing, and distribution functions of investment banking and toleration of the present concentration of the investment banking business. Despite the well-reasoned opinions of the writers, the political scientist and economist would have appreciated some analysis of the available factual evidence. Most of the recommendations for simplification of security legislation would evoke general approval, since the confusion and duplication of eight or more federal legislative acts is without question. Coördination of the acts instead of a single code, as recommended, would be more realistic. The recommendation that the states accept the SEC's requirements is well in point, to attain federal and state coördination. The exemption of seasoned issues from registration requirements would entail, however, extra inquiry and regulatory burdens. A

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simplified form for both registration statements and prospectuses would aid the average investor, but the regulatory agencies may still require the details. Since some agency, whether governmental or otherwise, would have to provide the copies required by the various regulatory bodies, the authors misconceive the problem of duplication of registration statements in recommending that only one statement be filed with one regulatory agency. It appears sound to allow the investment banker to make solicitations during the waiting period for the registration statement to become effective if actual sales are prohibited. As to liabilities of parties, it is a moot matter of public policy whether it is more reasonable for a director of a corporation to be required to make it his business to know the facts than to proceed on the theory he had no reasonable basis for believing the facts stated to be untrue. Again, while confusion should be removed, it is highly doubtful whether the facts of civil liabilities can be reduced to a single standard of civil liability as proposed.—ORBA F. TRAYLOR.

Many an American, returning with first-hand impressions of the awareness of the importance of international relations possessed by the casual denizen of some devastated area, will no doubt conclude, when confronted by the preoccupation of so many of his fellow-citizens with their domestic affairs, that the object-lessons which have so mercifully been spared the continental United States might make a difference in American attitudes. Part of our perduring problem, then, is to achieve greater awareness and to increase the understanding without suffering the object-lessons. Much has been done; more remains to be done. W. Harold Dagliesh has prepared, and the Council on Foreign Relations has published *A Report on Activities in Nineteen American Cities* [relating to] *Community Education in Foreign Affairs* (pp. x, 70, $0.50), based on information supplied by the secretaries of nineteen local Foreign Relations Committees. The cities fairly represent the several sections of the country, but do not include such super-cities as New York, Boston, Chicago, and Philadelphia. The data supports Percy W. Bidwell's observation in the introduction that "the over-all picture, as far as can be judged by the limited scope of this report, is a rather somber one. Our adult population is far from being as alert as it should be to the vital issues of American relations with foreign countries." Notable deficiencies may be charged to the veteran, labor, and farmer organizations, and, of course, to political parties (pp. 36, 40, 62–63). In a report such as this, street addresses of officers and organizations would facilitate correspondence. It would be helpful if similar surveys were made of the great metropolitan areas, religious denominations on their national scale (including their summer institute programs), and the small-town and rural areas.—HENRY REIFF.

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New Farms for Old (University of Alabama Press, 1946, pp. 245, $3.00) is the fruitful product of inter-university coöperation with government collaboration. Professors Gordon Blackwell and Rupert Vance, of the University of North Carolina, at the request of the Bureau of Public Administration of the University of Alabama, on the suggestion of the Federal Public Housing Authority, directed a study of rural public housing in four Southern states. This is their report—no arm-chair analysis, but a realistic survey based on comprehensive field work, family interviews, informal community contacts, official conversations, and public records. The descriptive text not only gives a detailed picture of the several government experiments, but sheds general illumination on the practical problems of public administration of rural housing everywhere. The appendices present 127 tables processed mechanically from questionnaires used in a 50 per cent sampling of the owner occupants of the "new farms." They cover all kinds of significant and trivial items—"size of family," "educational achievement of husband," "net family income," "size of garden," "curtains in living room," *et cetera.* Here also are recorded the reactions to such vital human interest questions as "Has this been a good business deal for you?" and "Are you glad you could move into this house?" This is modern methodology and creative research in social science, collecting and organizing a mass of pertinent data, forecasting and planning public policy therefrom, and thus empirically determining broad purposes and objectives. With housing a major national problem, Professors Vance and Blackwell have made a timely contribution.—MARIAN D. IRISH.

FOREIGN AND COMPARATIVE GOVERNMENT

An excellent short account of the Labor party's control of local government within the county of London is contained in Brian Barker's *Labour in London; A Study in Municipal Achievement* (London: Routledge, 1946, pp. x, 232, 7s. 6d.). This recent addition to the series of "London Labour Publications" prepared under party auspices does not, of course, deal with the problems of London government as thoroughly as has been done by William Robson and Herbert Morrison. Nor does it make any attempt at a complete and impartial history of the expansion of the activities of the London County Council. What it does is to provide a very readable summary of the London Labor party's rise to power under the leadership of Herbert Morrison, and the changes in policy that have been effected since Labor obtained a majority in the elections of 1934. The most striking aspect of the little book is its realistic emphasis on political pressure by vested interests. It charges that a Conservative-controlled central government systematically used its parliamentary power to prevent the rise of an integrated system of local government for greater London, in a

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deliberate effort to prevent the focusing of public attention on the real issues of social and economic policy. It does not mince words in writing of the transit monopoly, or the influence of the utilities, or the short-sightedness of real-estate developers. It shows by contrast how the social democratic revolution that is now remolding British national life began eleven years earlier in the county of London. The spirit in which it is written is therefore naturally one of pride in a very considerable achievement, especially in such fields as slum-clearance, social assistance, and socialized medicine. The credit for this achievement is given to the elective policy-makers, with no hint whatever that any policy is being made by civil-service administrators. And more is said about the processes by which the London County Council makes policy than is readily available in American publications. The weakness of the book is that it does not analyze—except by implication—the problems of governing a metropolitan region. Nor has it thoroughly digested the political implications of the planners' concepts of "neighborhood" and "community." And it contains no hint of any intention on the part of the Labor government to reform the outmoded governmental structure of one of the world's greatest metropolitan agglomerations.—W. HARDY WICKWAR.

There has been for some time a certain vogue for "factual" political books which, while they do not always meet the specifications of the more ambitious or "definitive" handbooks, provide objective and readable exposés of an area or complex of problems. Such publications serve a commendable purpose when they consolidate ordinarily unobtainable or relatively recondite materials and are reasonably up to date in their presentation. As far as it could be done for so controversial a subject, Raleigh Parkin, in his *India Today; An Introduction to Indian Politics* (Longmans, Green and John Day Co., 1946, pp. x, 386, $3.75), has succeeded admirably in providing just such an introduction and guide in this complex field. This is the latest revision of a book which was originally published by the present author in collaboration with W. E. Duffett and A. R. Hicks in 1941 under the auspices of the Canadian Institute of International Affairs. From a modest and useful pamphlet, it has grown into a substantial volume which, with plentiful references to a wide variety of source materials, offers a well-balanced survey of Indian affairs. The chapter headings—Social Structure, Economic Structure, Constitution and Government, Administration and Defense, The Political Groups, The Indian States, External Relations, Indian Nationalism, Indian Politics between Two Wars, India and the War, Since the Cripps Mission (where the discussion is carried to the summer of 1945)—indicate the range of treatment, whose value is enhanced by a forty-page appendix of well-selected documents and a serviceable bibliography. One might regret

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that, especially for American readers, there is no reference to, say, such an excellent discussion of the Indian defense problem as that given by Eric Beecroft in a recent volume of the *Journal of Politics*. But this would be carping criticism. Generally, Mr. Parkin has fulfilled his purpose as set out in the foreword, where he states that his book "does not argue on behalf of any particular point of view, or analyze, except very incidentally, the motives which may have prompted political action or suggest any particular solution for Indian constitutional and political difficulties. It is rather an attempt to discover and state in simple terms those facts and attitudes which are significant for any understanding of Indian politics at the present time, so that the reader may have some basis for forming his own opinions." The author's concise and painstaking presentation of such controversy-laden matters as Pakistan (pp. 107–110), the rôle of the depressed classes in politics (pp. 110–114), the Cripps Mission (pp. 216–233), and the recent famine (pp. 249–264) are fine examples of his consistency. His combination of objectivity and sympathetic understanding of tangled issues are presumably in some measure conditioned by his Canadian vantage point—a relatively neutral center between the contending camps. In this light, his opinion that "discussion of the Indian political problem only begins where this book ends" might become a challenge also to students of Indian affairs in this country. What is urgently needed is a thorough reëxamination and reëvaluation of some of India's basic problems, now that the great change to independence has been inaugurated. In this task, students whose countries have not been directly involved in the long and often acrimonious controversy should take a more active part than heretofore. True enough, the scarcity of adequate materials in most libraries has all along been a notorious stumbling block for such endeavors. In the meantime, Mr. Parkin's volume should serve well as an introduction for the general student and a handy refresher and reference guide to recent developments for the specialist.—WOLFGANG H. KRAUS.

In *The French-Canadian Outlook* (Viking Press, 1946, pp. 192, $2.00), Mason Wade gives us a brief interpretative essay, a kind of interim report of an extensive study on which he is engaged. As an American and a Catholic, he has had certain advantages in seeking out information concerning French Canadians—the "unknown North Americans," as he calls them. His is not the approach of the sociologist so ably demonstrated in Horace Miner's *St. Denis* or Everett Hughes' *French Canada in Transition*. His is rather the historical approach, seeking in the history of the French Canadians the explanation of their present outlook, while not neglecting the powerful impact of contemporary industrialization and urbanization making this a period of transition for Quebec. This is the

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book's chief interest for those concerned with Canadian affairs or with "the French fact in North America." Rejecting the extreme racial and clerical interpretations current in Quebec, Wade seeks to reassess the strikingly different versions of Canadian history advanced by French- and English-speaking historians, delivering himself of a number of home truths for both groups in the process. The book has a much broader appeal as a case study in nationalism, a study of a nationalism, French-Canadian, unique in its characteristics, and rare in forming a part of a greater nationalism, the Canadian. French-Canadian nationalism is a compound of familiar forces such as minority status, language, religion, economic conflict, class consciousness, conservatism, isolationism, clericalism and ultramontanism, French-Canadian history (often misunderstood and misinterpreted), and other elements. Yet there is lacking that factor usually considered an indispensable ingredient of nationalism—the desire to maintain an independent sovereign state. Only a fringe of integral nationalists in Quebec today are separatist in doctrine, as well as racist and corporatist. The hopeful features, indeed, of French Canadian nationalism are the rise of a greater Canadianism, merging French-Canadian and English-Canadian nationalisms, the rise of anti-clericalism, the rejection of integral nationalism, and the growth of class consciousness among the industrial masses today comprising more than two-thirds of Quebec's population.—H. Gordon Skilling.

In his *China, a Model for Europe* (Paul Anderson Co., 1946, pp. 334), Lewis A. Maverick has attempted to show how the then contemporary, and earlier, accounts of China had an influence upon the thinking of the eighteenth-century physiocrats in France. Using materials written and edited, for the most part, by the Jesuit fathers in their reports to Europe on their missionary activities in China, the author gives a short introductory study of the impressions of China current in Europe in the seventeenth and eighteenth centuries. A large portion of this first section of the study is taken up with extracts from Hsü Kuang-ch'i's *Complete Treatise on Agriculture* (1640 and translated later). The bulk of Maverick's work consists of his comments on, and his translation of, François Quesnay's *Le Despotisme de la Chine* (Paris, 1767). Quesnay's volume is a eulogy of China and its form of government as people then knew of it. According to him, the government of China was based upon natural law, and was that of a despotic emperor who was benevolent and subject to the operation of natural rules of good behavior. The government of China was thus a model for all to follow; and Quesnay used his observations on it to illustrate his theories of government and taxation in Europe. Agriculture was basic to greatness of a state. Taxation should come from the net product of the farm, which was the rent paid to the owner after the costs

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of production had been deducted. Thus taxation was to be the burden of the rich. The translated study is worth-while because of the effort to show the inter-relationships of culture and societies. Maverick's own portion of the work suffers from the wordiness that is always present when too many quotations from translations of Chinese works are included. There is a good bibliography.—ANDREW E. NUQUIST.

Vaughan White was born in Canton, China, where her father was a medical missionary. After receiving an education in the United States, she returned to China, where she was given opportunities to travel widely throughout the country. In China, she discovered "not a topsy-turvy world, but a different one," a world toward which she ceased to be merely curious and became appreciative. In her *Our Neighbors, the Chinese* (Rinehart and Co., 1946, pp. xiv, 267, $2.75), she undertakes to interpret the Chinese for American readers. She is concerned with what the Chinese are like in their day-to-day living, what problems they face, and why they behave as they do. Not everything upon which she reports is of significance, but she has observed carefully and makes some acute analyses. Feminine readers will be interested in the chapter on "Daughters of the Revolution." That the author presented a cat named Whitie to Madame Chiang Kai-shek could have been omitted without serious loss; but her analysis of the rôle of women in the revolutionary struggle is revealing, and she substantiates her observation that Chinese women exert greater political leadership than do American women. In her chapter on guerrilla warfare, she points out that Japan was not able to take full advantage of any formal victory: the cost of pacifying the country exceeded the benefits derived. The book reads easily. Study clubs and undergraduate students will find it useful.—RALPH A. NOREM.

The importance of a record and analysis of what happened in enemy-occupied countries during World War II is obvious. For this reason, the May, 1946, number of *The Annals* (American Academy of Political and Social Science, Vol. 245, pp. 180) is of great significance. In it twenty-one Dutchmen, each a specialist in the field in which he writes and closely associated with the situation, problem, or movement he describes, write about "The Netherlands During German Occupation." The contributions cover political and civil life, economic life, standards of living, cultural life, and the resistance. It is difficult to single out any of these articles for special notice, since all are of very high quality. Though they tell a gripping story, the contributors write soberly and effectively. It is an account of refined cruelty and bestiality, on the one hand; and of heroic endurance and stubborn resistance, on the other. Basing his statement upon his own judgment and the findings of the Association for Opinion Study, Pro-

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fessor J. M. Romein concludes that the conduct of the various classes of the population toward the German invaders was as follows: the doctors best of all, closely followed by the priests and ministers, and then the students; the public servants, the laborers, and the judiciary follow far behind; while the manufacturers and the contractors reacted very badly. Mr. Bruins Slot, in an article on "The Distance," concludes that though the conflict was not a success in every respect, though defeats were more numerous than victories, and though it had no great importance from a military standpoint, "the conflict was important because it proved that our people were willing to sacrific life and property for moral values, freedom and justice," and because it demonstrated the stamina of our people." —AMRY VANDENBOSCH.

The purpose of Shelby T. McCloy's *Government Assistance in Eighteenth-Century France* (Duke University Press, 1946, pp. xl, 496, $6.00) is to give an account of state and provincial assistance to the needy during the eventful century indicated. The book touches only incidentally on municipal, church, and private charity. But no other work on its subject covers so much material; and it contains an extensive bibliography of French materials. The author describes the suffering caused by famines, floods, fires, plagues, epidemics, epizootics, war, unemployment, and discusses the development of governmental services to relieve or prevent distress. Among the typical services and agencies of the period were hospitals, medical care outside of institutions, asylums, pensions, charity workshops, and educational aids. Of special historical and social significance were official efforts to prevent human misery by such new methods as inoculation, quarantine, compulsory examination and even slaughter of herds, improved conditions of sanitation, encouragement of technical schools, fire insurance, etc. French governmental assistance in that century of revolution was characterized by a paradox—the maintenance of appallingly low standards of living and assumption of responsibility by the royal government for relieving distress. Some of the French eighteenth-century developments seem astonishingly like those of the 1930's and 40's in the United States.—HELEN I. CLARKE.

INTERNATIONAL LAW AND RELATIONS

Despite a publication date rather long past, attention should certainly be called to Hans W. Weigert and Vilhjalmur Stefansson, *Compass of the World; A Symposium on Political Geography* (Macmillan Co., 1944, pp. xvi, 466, $3.50, with maps by Richard E. Harrison). The critical lack of competently written, conveniently organized materials on special phases of international relations, coupled with the emergence of a new approach to their study, places a double premium on this book. In addition to the

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contributions of the editors, it includes articles by a group respected as being undoubted leaders in their fields—among others, Isaiah Bowman, S. W. Boggs, Edmund A. Walsh, Ellsworth Huntington, J. Russell Smith, George Cressey, Richard Hartshorne, and Frank Notestein. The selections are varied, yet focused on geography as a factor in international relations—with particular reference to the United States Events of the past eighteen months will preserve the timeliness of most of them. In a sense, the first chapter on geopolitics (consisting of five articles) is a plea for the use of scientific geography for the solution of international problems and the formation of foreign policy; to this end, the German brand of geopolitics is exposed as an evil perversion. Because the end of global warfare may be accompanied by a lapse into non-global thinking, another chapter warns that the United States must never look at the world through vision astigmatized by the Mercator projection: our "world view" must be flexible— a fact driven home by several good articles on America's international airways position. "Reflections on the Heartland" (including further interesting thoughts of MacKinder) is particularly significant in view of the present political struggle over Germany. The crucial nature of evolving American policy in Europe is thrown into bold relief by an essay entitled "The United States and the Shatter Zone." Half of the book is devoted to the Arctic region—especially Soviet and American strategic considerations—Asia, and population trends. On the whole, this symposium is more suggestive than definitive, but for this reason "teachable" and also helpful to lay readers.—RICHARD CARLTON SNYDER.

Writers on American-Soviet relations tend to array themselves as prosecutors or defenders of Soviet Russia. In *Russian American Trade* (Bureau of Business Research, Ohio State University, 1946, pp. 154, $2.50), Mikhail V. Condoide makes a dispassionate, convincing defense of Soviet trade policies. Mr. Condoide discusses, in turn, Russian foreign trade before 1914, the Soviet economic system, the rôle of trade in the Soviet economy, the historic trade policies of Soviet Russia, and Soviet-American trade relations through World War II. His principal thesis is that her trade is part of the master economic plan governing the life of Soviet Russia, and that the volume and variety of imports and compensating exports are strategically determined in accordance with its objectives. On the grounds that Soviet planning aims at a self-sufficient economy, the author rejects two prevalent ideas respecting Soviet trade: first, that Russia offers a vast market for American goods, and secondly, that her goods will displace American products in the world markets. Soviet Russia needs imports to rehabilitate her economy, and she can spare little for export. He argues further that, without credit, Russian-American

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trade will be impeded and its volume will remain as insignificant in the total trade of each country as it has been historically. This is sound economics, but it fails to make clear that the underlying determinants in American-Soviet trade relations are the political aspirations of the two nations. Indeed, the weakness of Mr. Condoide's thesis is his failure to weigh adequately the influences of Soviet diplomacy on past and future trade policies. For example, he suggests that it is the lack of fear that differentiates Soviet Russia's approach to Asiatic trade from her approach to Western trade. But surely Russia's desire to woo dependent peoples into her political and economic orbit is a more realistic explanation of this difference. Mr. Condoide disposes of Soviet economic penetration into the Balkans with a slight conjecture, failing to indicate that a self-sufficient Soviet economy which includes the states over which she has political hegemony would be a more serious blow to American trade than his carefully arrayed statistics suggest. While Soviet trade policies can probably be better understood within the broader frame of Soviet diplomacy, this volume fills a genuine need for authoritative data on Russian-American trade between the two World Wars.—MARTIN KRIESBERG.

In *The Great Dilemma of World Organization* (New York: Reynal and Hitchcock, Inc., 1946, pp. 85, $1.50), Fremont Rider, the librarian of Wesleyan University, offers an interesting and ingenious plan for world organization. Rejecting the established United Nations as ineffective and unworkable, and the plans of Ely Culbertson, Clarence Streit, and others as unacceptable, Mr. Rider proposes a world-state in which the separate nation-states are retained as units, but are represented and have strength in accordance with their "educational age" or "total educational accomplishment." The formula for determining the educational age and accomplishment of each country is somewhat intricate, but works out so that the United States stands highest, and receives 88 out of 424 representatives in the World Assembly; Russia is second, with 59; the British Empire is third, with 49; China is sixth, with 20; Poland is ninth, with 9; Sweden is sixteenth, with 4; Switzerland is twentieth, with 3; and so on. And not only does this same formula put Germany and Japan into fourth and seventh places, with 44 and 18 representatives, respectively, but it gives Germany a strength twice that of France, more than six times that of Holland, more that eight times that of Czechoslovakia, nearly 15 times that of Denmark, and 22 times that of Norway. Moreover, the Baltic states of Lithuania, Latvia, and Estonia, and even Korea, are listed as "sovereign" states entitled to one representative each under this formula, while Canada, Australia, and the other British Dominions, not so listed, are evidently expected to forget their quarter-century of separate and independent representation in the League of Nations, United Nations,

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and international conferences generally, and to be content with "British Empire" representation. It is of such stuff that this newest plan for world organization is made; and although an ingenious idea, succinctly argued, and accompanied with useful statistical tables, it seems altogether unlikely to attract serious attention at a United Nations Assembly, from which Mr. Rider is realistic enough to assume that the impetus for its adoption would have to come.—CLARENCE A. BERDAHL.

The July, 1946, issue of *The Annals of the American Academy of Political and Social Science* (Vol. 276, $2.00 paper, $2.50 cloth), edited by E. M. Patterson, and entitled "Making the United Nations Work," reprints twenty addresses read at an Academy meeting. Most of them are substantial discussions by competent men of many facets of international reorganization; indeed, most of them rise above the common limitations of speeches. They are divided into four groups. The first, "World Reorganization," deals with the transition from the League to the UN and with its internal structure and functions. The second, "The Great Powers and the United Nations," is misleadingly entitled, for it discusses chiefly such matters as the relation of Switzerland to the UN and the aid the UN can extend to India, southeastern Asia, and the Indies in colonial emancipation. The section's only article dealing with a great power and the UN tells us happily that the U.S.S.R. will coöperate fully with the nascent United Nations. The third section, "Political and Economic Coöperation," is meaty. Its exposition of the Nuremberg trial and its implications for the future behavior of governments is informing and hopeful; the discussion of the trusteeship system and the ILO are solid and informative. The last section, a supplement entitled "Postwar Treatment of Enemy Countries," is the strongest of the four. In it, Morgenthau presents his plan for the industrial emaciation of Germany, a plan which the economist, M. J. Bonn, with a fine sense of *realpolitik*, convincingly denounces. M. J. Bennett's searching discussion of economic disarmament in Japan shows once again the close bond between diplomatic and economic policy. Two over-all impressions arise from reading this volume. First, most of the speakers let their optimism soar unduly. Second, they underscore repeatedly the belief that accelerated change in international organization is going on at an almost giddy pace. The volume offers political scientists a convenient survey by significant scholars, diplomats, and administrators of their views on current international organization.—GARLAND DOWNUM.

In its *Great Britain and Palestine, 1915–1945* (Oxford University Press, pp. xii, 177, $2.00), the Royal Institute of International Affairs revises and brings almost up to date an "Information Paper" earlier published in 1937 and 1939. This little volume presents the best recent brief and con-

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cise general picture of the problem of Palestine. It deals with the wartime promises of the Promised Land, the bilateral social structure, the special problems of land settlement, immigration and economic conditions, the operation of the mandate, and recent efforts to solve this hitherto insoluble problem. As between the conflicting groups involved, the book evidences an understanding of both Arab and Jewish viewpoints rarely found in a discussion of Palestine. Regarding the British position, it proceeds on the only tenable premise with which one should view recent Palestine—not that the documents clearly and unequivocally support the Zionist contention for a Jewish state, or that the Arabs were clearly promised control, but that under the Balfour Declaration and the mandate, Great Britain assumed, and later tried to administer, a dual trust on behalf of both volatile nationalisms. The volume is naturally not excessively critical of the British government in its attempts to carry out this trust in the face of Arab and Jewish demands which were themselves incompatible. The study ends abruptly with the appointment of the Anglo-American Committee and Bevin's statement of policy late in 1945. There must be a further edition with one more chapter, which, it may be hoped, can add a final solution of the problem gleaned from current negotiations. A very full table of contents still does not make up for the lack of an index. Appendices include part or all of such important documents as the McMahon correspondence, the mandate for Palestine, the Churchill memorandum of 1922, the findings of the 1937 and 1938 commissions, the White Paper of 1939, and the Land Transfer Regulations of 1940.—WILBUR W. WHITE.

In his *China and America; The Story of Their Relations Since 1784* (Princeton University Press, 1946, pp. 256, $2.75), Foster Rhea Dulles brings together the story of the relations between the United States and China in such a manner that the lay reader can sense some of the implications behind them. Nothing new is presented in the volume; but, stripped of unessential trivia and free from ponderous explanation of causes, the book makes interesting reading. The scholar might wish that more detailed explanation were added, but the reader is the gainer for its absence. The work is notable for its stressing of the dream of China as a supermarket for American goods, that will-o'-the-wisp that has periodically led American business interests to day-dream of enormous profits. The author's comments on the necessity for raising the standard of living in China before such hopes can be realized not only are the pattern of the problem, but give valiant support for current international efforts under the FAO and other agencies. A second notable feature is the stressing of the fact that the United States has always talked about its friendship for China, but has frequently done little else. This country has always been

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willing to share the fruits of the aggression of other nations, particularly Great Britain, but has not been willing to act for itself in forcing the issues. In times of crisis, like the fall of 1931, we repeatedly, as so often was true in the past, sent diplomatic protests to Japan to "keep the record straight" concerning our "interests" in China, and then sat back to watch events take their course. At no time until Japan struck so dramatically and disastrously on December 7, 1941, were we as a nation willing to face the necessity for forceful action to protect either our interests or China. From the turn of the century on, we alternately blustered and retreated, while Japan doggedly continued her program for controlling the territory and government of China. The blame for our national actions can be placed on no one person in particular. Rather they have been a result of apathy and ignorance on the part of the public, plus failure to support government leaders who had access to more information, but were unwilling to make it all public, or when they did so were openly criticized. The study makes it abundantly clear that something more than good will is required if aggressive nations are to be kept under control. Our romantic views of China and the Chinese are rudely shocked by the present crisis in China, and the lack of understanding makes settlement the more difficult. By clarifying the situation, Mr. Dulles has put us all in his debt.—ANDREW E. NUQUIST.

In his *Suitors and Suppliants* (Prentice-Hall, 1946, pp. 301, $3.50) Stephen Bonsal discusses the problems of the small states and nationalities desiring to be states at the Peace Conference ending World War I. The author assisted Colonel House and had as his principal task the study of the aspirations of the smaller nations. In his book, arranged in the form of a diary, he discusses Russia, Palestine, Albania, Italy and Yugoslavia, Poland, the Ukraine, Czechoslovakia, Rumania, Greece, Armenia, Denmark, the Rhineland, Korea, and Sino-Japanese relations. The similarity of problems then and at the present peace conference twenty-seven years later is startling. At the first peace conference, Fiume was the problem between Italy and Yugoslavia. Today it is Trieste. Palestine is still a tremendous problem, with its Jewish-Arab conflict. Poland and its territorial problems were present at both conferences. There is the same confusing complexity concerning boundaries and populations. There is the same reaction from the patriotic idealism of war to the chauvinistic struggle over boundaries. The victors must still be rewarded at the expense of the conquered. There was the same temptation to set up Germany as a barrier to Russia. The difference is that today the United States has decided to coöperate with the rest of the world, while the Treaty of Versailles was voted down. Progress is made, but slowly. By studying the conflicts in the first Peace Conference, one could predict the present areas of conflict.

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The Sudeten Germans were one source of conflict. The Polish Corridor and Danzig another. Palestine still another. The Rhineland another. A perfect treaty is, of course, impossible; but perhaps our international machinery will operate better than it did last time in working out these and other problems. Mr. Bonsal has made available a valuable and interesting amount of source material which will enable the reader better to evaluate present issues at the Peace Conference. Although the diary method of narrative has its disadvantages, in this book it is used to perfection.—JOHN B. MCCONAUGHY.

The Economic and Financial Organization of the League of Nations (Carnegie Endowment for International Peace, 1946, pp. xv, 168, $3.00), by Martin Hill, is the sixth in a series of Studies in the Administration of International Law and Organization issued by the Division of International Law of the Carnegie Endowment. It serves two purposes: it is a terse and carefully documented survey of twenty-five years' experience of the League of Nations in the economic and financial field; and it is a case study of the possibilities and limitations of machinery designed to facilitate intergovernmental coöperation but lacking power to make and carry out decisions. Mr. Hill's survey gains in value from his experience as a member of the Secretariat of the Economic and Financial Organization, known after 1939 as the Economic, Financial, and Transit Department. Institutional developments are traced from the Provisional Economic and Financial Committee created by the Council in 1920 to the Central Committee for Social and Economic Questions proposed by the Bruce Committee and approved by the Assembly in December, 1939. Significance is added by the fact that although events in Europe in 1940 prevented the establishment of the Central Committee, it is the direct precursor of the United Nations' Economic and Social Council. The greater part of the book is devoted to review and appraisal of "the main events in the history of the Organization, the more important work done or attempted, and the methods which have been used." The subject lends itself to chronological treatment, with emphasis on the work of financial and economic reconstruction, 1920–1930, the depression and consequent new problems of the next decade, and wartime developments and activities. The material presented is not new. Use is continuously made of the numerous reports and special studies of the organs involved, a selected list of which appears as an annex. The outstanding merit of the work is the competent manner in which this heterogeneous material is brought together and digested. It is when he attempts evaluation of the work of the Organization that the author focuses attention on the broader problem. Basic to an understanding of the limitations of the Organization is the fact that, like the League of which it was part, it was a purely voluntary organization. As

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such, it functioned admirably with regard to the work governments might, through the Council and the Assembly, refer to it. But, in the author's words: "Certain problems of the first importance, for example, reparations and war debts, were never referred to it; others, because of lack of agreement, or lack of any prospect of effective international action, never advanced, within the Organization, beyond the stage of study and informal discussion." The publishers call attention to the fact that this study, issued in 1945 in mimeographed form for use at the San Francisco Conference, has already proved of value; and it is to be expected that it will continue to demonstrate its worth to those now engaged in bringing to life the institutions established in the Charter. It is to be hoped that attention will be given the lesson of the limitations of "international coöperation" as well as its possibilities, and conclusions drawn which will result in more effective world political institutions.—RUTH C. LAWSON.

In *United Nations Documents, 1941–1945* (Royal Institute of International Affairs, 1946, pp. 271, $3.00), the student of international organization will find the most complete collection of texts relating to the United Nations and the specialized agencies which has yet been published. There are contained in this handy volume the texts of both the Dumbarton Oaks proposals and the Charter of the United Nations, with an addendum in the form of the important statement of the Big Four at San Francisco on Security Council voting procedure. The Declarations of the Atlantic Charter and of the United Nations, and the communiqués issuing from the Moscow, Teheran, Cairo, Crimea, and Berlin conferences are also reproduced, including the most recent communiqué of the second Moscow Conference. The Casablanca and Quebec conferences are not included, presumably on the ground that they related to the actual prosecution of the war and were not in the category of "the forward-looking decisions of the United Nations," to quote the criterion of selection mentioned in the preface. The constitutions of UNRRA, the Food and Agriculture Organization, and the United Nations Educational, Scientific, and Cultural Organization, the articles of agreement of Bretton Woods, the Philadelphia Charter of the ILO, the Convention on International Civil Aviation, are also given, in most cases in their entirety, in some cases with slight deletions. Finally, Article 7 of the Lend-Lease agreement, the Paris resolution concerning the relationship between the ILO and the United Nations, and the United States proposals for a trade and employment conference complete the collection.—H. GORDON SKILLING.

There is only one criticism that can be lodged against G. E. Harvey's *British Rule in Burma, 1824–1942* (Faber and Faber, 1946, pp. 100, 10s. 6d.) The book ought to have been three times as long. The author has a

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lengthy personal knowledge of Burma, and is the leading authority on its history. Into this little book he has packed an amazing amount of information—on history, administration, politics, and economics. There are none of the vague generalizations so frequent in books on the tropics. Every statement is illustrated by concrete examples, often drawn from personal experience. Mr. Harvey is remarkably impartial: he sets down the merits and the blunders of British rule, and he is equally balanced in his account of what the Burmese ministers accomplished under the pre-war constitutions. But time and again one wishes that the author had expanded a paragraph into a chapter. Perhaps the salient impression left by the book is that constitutions, laws, and economic systems cannot be exported. British governments and officials earnestly desired to improve the lot of the Burmese. In many ways they succeeded, but in others they failed because they did not realize that institutions which had evolved in Great Britain would not work imposed on a people with very different characteristics. English land law played into the hands of Hindu money-lenders. Victorian liberals were shocked at the arbitrary punishments of Burmese rulers, so they substituted the elaborate and painstaking procedure of the English courts. The result was that a new class of unscrupulous lawyers arose, perjury became a fine art, and too often justice was circumvented. The tantalizingly brief account of self-government in Burma should be studied by anyone who believes that democracy can be established by setting up a democratic constitution.—LENNOX A. MILLS.

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RECENT PUBLICATIONS OF POLITICAL INTEREST

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——— State tax collections in 1946: Preliminary. Washington, 1946. 10 p. (processed.)

Congress

House of representatives. Laws relating to veterans. (Sept. 2, 1914–May 3, 1946); comp. by Elmer A. Lewis, superintendent Document Room. Washington: Govt. Ptg. Off., 1946. 831 p. $1.25.

——— *Expenditure in the executive departments, Committee on.* Reorganization plans nos. 1, 2, 3 of 1946. . . . Hearings . . . 79th Cong., 2d sess., on H. Con. Res. 153, 154, 155. Washington: Govt. Ptg. Off., 1946. 341 p.

Foreign affairs committee. Inter-American military coöperation act. Hearings . . . 79th Cong., 2d sess., on H. R. 6326 . . . Washington: Govt. Ptg. Off., 1946. 39 p.

Immigration and naturalization committee. Study of problems relating to immigration and deportation and other matters. . . . Washington: Govt. Ptg. Off., 1946 433–468 p. 10¢.

——— *Insular affairs committee.* To provide for the rehabilitation of the Philippine Islands: Appendix to hearings . . . on S. 1610 . . . Part 2: Exhibits pertaining to testimony appearing in Part 1 (pages 1 to 210) of committee hearings. Washington: Govt. Ptg. Off., 1946. 158 p.

——— To provide for the rehabilitation of the Philippines: Hearings . . . on S. 1610 . . . Part I. Washington: Govt. Ptg. Off., 1946. 210 p.

——— *Military affairs committee.* Reëmployment rights of veterans, hearings, 79th Cong., 2d sess., on H. R. 3938 . . . and on H. R. 5580 . . . Washington: Govt. Ptg. Off., 1946. 42 p. 10¢.

——— *Judiciary committee.* Amending municipal bankruptcy act, hearings . . . 79th Cong., 2d sess., on H. R. 4307 . . . Washington: Govt. Pgt. Off., 1946. 33 p. (Serial 21). 10¢.

——— *Territories committee.* Statehood for Hawaii, hearings . . . 79th Cong., 2d sess., on H. Res. 236 . . . Washington: Govt. Ptg. Off., 1946. 551–909 p. $1.50.

Senate. Council of foreign ministers at Paris, remarks of Arthur H. Vandenberg . . . in Senate . . . relative to peace treaties which will finally terminate

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World War II. Washington: Govt. Ptg. Off., 1946. 16 p. (S. doc. 240, 79th Cong., 2d sess.).

——— Equal rights amendment, questions and answers . . . prepared by research department of National woman's party. . . . Washington: Govt. Ptg. Off., 1946. (S. doc. 209, 79th Cong., 2d sess.)

Nationality act of 1940 with amendments through March 31, 1946 . . . Washington: Govt. Ptg. Off., 1946. 114 p. 20¢.

——— *Foreign relations committee.* Convention on international civil aviation. Hearings . . . 79th Cong., 2d sess., on Executive A . . . part 2. Washington: Govt. Ptg. Off., 1946. 315–365 p.

——— *Interstate commerce committee.* Centralization of heavy industry in United States, Special committee to investigate . . . hearings . . . 79th Cong., 1st and 2d sess., on S. Res. 15 . . . Washington: Govt. Ptg. Off., 1946. 120 p. 20¢.

——— To establish a national air policy board: hearings . . . 79th Cong., 2d sess., on S. 1639. Washington: Govt. Ptg. Off., 1946. 273 p.

——— *Judiciary committee.* Extension of 2d war powers act, 1942, as amended, *re* transportation, rationing, priorities, etc., hearings . . . 79th Cong., 2d sess., on H. R. 5716 . . . Washington: Govt. Ptg. Off., 1946. 52 p. 15¢.

——— *Organization of Congress special committee.* Legislative reorganization act of 1946, report to accompany S. 2177 . . . Washington: Govt. Ptg. Off., 1946. 40 p. 10¢.

——— *Petroleum resources, Special committee investigating.* American petroleum interests in foreign countries, hearings, 79th Cong., 1st sess., pursuant to S. Res. 36 . . . Washington: Govt. Ptg. Off., 1946. 462 p. $1.00.

Federal Security Agency

U. S. Public health service. (The Public health service is issuing processed monthly reports on marriage licenses issued in cities of 100,000 inhabitants or more; there is also an annual summary.)

Federal Reserve Board

Library. Bretton Woods agreements; a bibliography, April, 1943–December, 1945. Washington, 1946. 48 p.

Justice Department

Immigration and naturalization service. Immigration and nationality laws and regulations, supp. 2, Jan. 1–Dec. 31, 1945. Washington: Govt. Ptg. Off., 1946. 124 p. 25¢.

Library of Congress

A guide to manuscripts relating to American history in British depositories. Reproduced for the Division of Manuscripts in the Library of Congress. By Grace Gardner Griffin. Washington: Govt. Ptg. Off., 1946. 313 p.

General reference and bibliography division. Biographical sources for foreign countries. 1. General. Reissue, without change, of 1944 edition. 76 p. (Mim.) 4. The Japanese empire. Comp. by Nelson R. Burr. Reissue, without change, of 1945 edition. Washington: 1946. 114 p.

——— Post-war problems, current list of United States government publications, July–September, 1945; comp. by Katherine Oliver Murra, with collaboration of librarians of federal agencies. Washington, 1946. 193 p. (processed)

Legislative reference service. Atomic power issues before Congress. Eilene Galloway, comp. Washington, 1946. 123 p. (mim.) (Public affairs bulletin no. 44.)

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——— Economic relations between the United States and Latin America. L. M. Manross, comp. Washington, 1946. 44 p. (mim.) (Public affairs bulletin no. 45.)
Legislative reference service. Forestry activities of the federal government. V. W. Brewer, comp. Washington, 1946. 185 p. (mim.) (Public affairs bulletin no. 47.)

State Department

Nazi conspiracy and aggression. (Originally intended as a 6-volume work, this will now appear in 8, selling for $18.00. Four volumes have already appeared. However, they do not appear in their announced numerical order, volumes 1 and 2 not yet having been issued.)
Another ambitious project of the State department is the publication, probably in 20 volumes, of an "authoritative collection of German Foreign Office documents and other official papers. . . . " Dr. Raymond J. Sontag, of the University of California, is director.

The following in the numbered series of State department publications have appeared:

2540. United States import duties, June 1946. . . . Washington: Govt. Ptg. Off., 1946. 437 p.
2542. Transition from League of Nations to United Nations, by Henry Reiff. Washington: Govt. Ptg. Off., 1946. 18 p.
2548. European coal organization: agreement between the United States of America and other powers. . . . Washington: Govt. Ptg. Off., 1946. 9 p.
2550. The problem of German political revival. Article by Leon W. Fuller, Department of state. Washington: Govt. Ptg. Off., 1946. 22 p.
2551. American trade proposals: A series of articles looking toward a world conference on trade. Washington: Govt. Ptg. Off., 1946. 23 p.
2558. The Philippines prepare for independence, by Edward W. Mill. Washington: Govt. Ptg. Off., 1946. 5 p.
2560. United States atomic energy proposals. Washington: Govt. Ptg. Off., 1946. 12 p. (By Bernard M. Baruch.)
2565. Air services agreement between the United States of America and the United Kingdom . . . and final act of the civil aviation conference held at Bermuda January 15 to February 11, 1946. . . . Washington: Govt. Ptg. Off., 1946. 20 p.
2566. Voluntary war relief during World War II. A report . . . by the President's war relief control board. Washington: Govt. Ptg. Off., 1946. 73 p.
2571. Report to Congress on foreign surplus disposal, July, 1946. Office of the foreign liquidation commissioner. Washington: Govt. Ptg. Off., 1946. 66 p.
2572. Paris conference of foreign ministers, June 15–July 12, 1946. Washington: Govt. Ptg. Off., 1946. 20 p.
2573. Organizing the United Nations. A series of articles from the Department of State Bulletin. United States-United Nations information series 6. Washington: Govt. Ptg. Off., 1946. 57 p.
2577. Civil administration and jurisdiction in liberated Norwegian territory: Memorandum of agreement between the United States of America and Norway. Washington: Govt. Ptg. Off., 1946. 4 p.
2583. The present status of German youth, by Henry J. Kellerman. Washington: Govt. Ptg. Off., 1946. 11 p.
2584. The distribution of reparation from Germany. Washington: Govt. Ptg. Off., 1946. 21 p.

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2589. Understanding among peoples—How can we increase it? Foreign affairs outlines no. 6. Washington: Govt. Ptg. Off., 1946. 4 p.
2590. Is UNESCO the key to international understanding? Washington: Govt. Ptg. Off., 1946. 23 p.
2591. New horizons for world trade. Washington: Govt. Ptg. Off., 1946. 12 p.
2595. International trade and the British loan. Washington: Govt. Ptg. Off., 1946. 10 p.
2598. Suggested charter for an international trade organization of the United Nations. Washington: Govt. Ptg. Off., 1946. 47 p.
2600. The economic and social council of the United Nations. Washington: Govt. Ptg. Off., 1946. 74 p.
2615. Report of the West Indian conference, second session. St. Thomas, Virgin Islands, February 21 to March 13, 1946. Washington: Govt. Ptg. Off., 1946. 86 p.
2616. Restatement of U. S. policy on Germany; address by the secretary of state delivered in Stuttgart, Germany, September 6, 1946. Washington: Govt. Ptg. Off. 1946. 17 p.
2618. Building a new world economy. Washington: Govt. Ptg. Off., 1946. 10 p.
2621. What we are doing in Germany—and why. Washington: Govt. Ptg. Off., 1946. 4 p.
2634. Guide to the United States and the United Nations. Washington: Govt. Ptg. Off., 1946. 8 p.

STATE AND TERRITORIAL

CALIFORNIA

Finance department. Organizational charts, California state government. Sacramento 14, 1946. 16 p.
Personnel board. Pay scales in the California state civil service. . . . December 1, 1945. Eleventh edition, June 1, 1946, revision of alphabetical section. Sacramento, 1946. 52 p. 50¢.

COLORADO

University of Denver. Peace treaties for Europe: (a) Areas of agreement, by C. Dale Fuller. Denver, 1946. 12 p.

INDIANA

Indiana University, Bloomington. Bureau of government research. Indiana state and local government, by Pressly S. Sikes. Bloomington, Principia Press, Inc., 1946. 246 p. (Revision of 1940 edition.)

KANSAS

Legislative council. Research dept. Reorganization of school districts in Kansas, 1945–46. . . . Topeka, 1946. xxiv, 70 p. (Publication 140.)
Secretary of state. Constitution of the state of Kansas, and amendments and proposed amendments submitted. Topeka, 1946. 31 p.
University of Kansas, Lawrence. Bureau of governmental research. The development of wild-life conservation policies in Kansas. A study in Kansas administrative history, by Edwin O. Stene. Topeka, 1946. 39 p. (Governmental research series no. 2.)
The United States and the United Nations, by Deane W. Malott. Lawrence, 1946. 23 p. (Citizens pamphlet series, no. 1.)

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MAINE

Legislature. Legislative research committee. . . . report on general fund revenue and expenditures, 1942–1951. . . . Augusta, 1946. 26 p.

MASSACHUSETTS

General court. General court of 1946. Bulletin of committee work and business of the legislature, final edition, session 1946. xxxii, 350 p.

MICHIGAN

Detroit public library. Race restrictive covenants: a selected list of references. Detroit, 1946. 9 p. (mim.)

NEBRASKA

Legislative council. Sub-committee report no. 4: . . . on interstate toll bridges. . . . Lincoln, Neb., July, 1946. 33 p. (min.) No. 5: . . . on district courts . . . Lincoln Neb., July, 1946. 25 p. No. 6: . . . on taxation and regulation of insurance companies. . . . Lincoln, Neb., August, 1946. 23 p. (mim.) No. 7: . . . on municipal budget law. . . . Lincoln, Neb., August, 1946. 25 p. (mim.) No. 8: . . . on matching federal funds for highway purposes. . . . Lincoln, Neb., August, 1946. 19 p.

NEW MEXICO

University of New Mexico, Albuquerque. Dept. of government. New Mexico's tax structure, by R. F. Asplund and A. K. Noble. Albuquerque, 1946. 31 p. 35¢.

——— The state educational system, by Thomas C. Donnelly. Albuquerque, 1946. 35 p.

NEW YORK

Audit and control department. Special report on municipal affairs by the state comptroller. Albany, Fort Orange press, inc., 1945. 467 p.

Taxation and finance dept. Rates of assessment in cities, towns, and villages, 1946. Albany, 1946. 19 p.

New York (City). Mayor's advisory transit committee. Report, September 9, 1946. New York 13, 250 Hudson St., 1946. 56 p.

OHIO

Civil service commission. Civil service law annotated, with the rules and regulations of the civil service commission, as revised and adopted September 1, 1945. . . . Columbus, 1945. 60 p.

PENNSYLVANIA

Pittsburgh. City planning commission. Pittsburgh: groundwork and inventory for the master plan. Pittsburgh, City-County Bldg., 1945. 188 p., charts, maps, plans.

PUERTO RICO

University of Puerto Rico, Rio Piedras. Some reflections on law in democratic society. A series of lectures delivered at the University of Puerto Rico. . . . Rio Piedras, 1945. 95 p. (Trabajos de la Facultad de derecho . . . 2.)

TENNESSEE

State planning commission. Local planning in Tennessee. A progress report of the local planning assistance division for the period July 1, 1942–June 30, 1945. Nashville, 1946. 53 p., illus.

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FOREIGN AND INTERNATIONAL

ARGENTINA

Ministerio de relaciones exteriores y culto. La Republica Argentina ante el. "Libro Azul." Buenos Aires, Talleres Gráficos de la Penitenciaria Nacional, 1946. 258 p.

BRAZIL

Prefeiture do Municipio de São Paulo. Construções clandestinas, por Almeirindo Meyer Gonçalves. São Paulo, 1945. 18 p.

——— Discriminanção de rendas, por Carlos Alberto A. de Carvalho Pinto. 2d ed. São Paulo, 1943. 193 p.

——— Impostos sôbre divertimentos públicos, por Paulo Ramos de Oliveira. São Paulo, 1945. 64 p.

——— Natureza juridica da concorrência pública, por Fernando Mendes de Almeida. São Paulo, 1944. 15 p.

——— Relaçáo jurídica entre o estado e os seus servidores, por Oswaldo Aranha Bandeira de Mello. São Paulo, 1945. 40 p.

——— Revisão das tarifas do servico telefônico, por J. H. Meirelles Teixeira. São Paulo, 1943. 155 p. (Not a list of rates, but a study of the theory of rate-making.)

CANADA

External affairs department. Report of Canadian delegates to the 21st Assembly of the League of nations, Geneva, April 8–18, 1946. Ottawa, King's Printer, 1946. 27 p. 25¢.

Royal commission on administrative classification in the public service. Report, 1946. Ottawa, King's Printer, 1946. 36 p. 25¢.

Royal commission [investigating disclosures of secret and confidential information to unauthorized persons.] Documents relating to the proceedings, including first and second interim reports. Ottawa, King's Printer, 1946. 26 p. 25¢.

University of Toronto. Territorial government in Canada: the autonomy question in the old North-West, by C. C. Lingard. Toronto, University of Toronto Press, 1946. 269 p. $3.00.

British Columbia. Premier. Brief presented to plenary session of the Dominion-provincial conference. Victoria, 1946. 14 p.

Saskatchewan. Legislature. Your legislators at work. A summary and review of important legislation passed at the 1946 session of the Saskatchewan legislature. Regina, Bureau of Publications, 1946. 52 p.

CHILE

Ministerio de relaciones exteriores. Chile y la conferencia de San Francisco . . . Santiago, Imp. Universitaria, 1945. 197 p.

Universidad de Chile. La administración local y sus relaciones con el poder central, en las constituciones Americanas, por Horacio Baldrich Iturra. Santiago, 1945. 78 p.

CHINA

Ministry of information. Fundamentals of national reconstruction. Sun Yat-sen. Chungking, P. O. box 107, 1945. 97 p.

COLOMBIA

Ministerio de gobierno. Proyecto de ley orgánica de los departamentos adminis-

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trativos, y exposición de motivos; informe del ponente de la Comisión tercera. . . . Bogotá, Imp. Nacional, 1945. 51 p.

COSTA RICA

Departmento jurídico de salubridad. Nociones de derecho político para el bachillerato; ed. Marco Tulio Zeledon. San José, 1946. 174 p. (This is an elementary but carefully worked out outline of the theory of government, with especial relation to Costa Rica, by members of a class under Dr. Marco Tulio Zeledon, and containing comments by him.)

DOMINICAN REPUBLIC

Dominican embassy, Washington. Dominican republic is the title of a new bulletin of the Embassy, Volume 1, number 1, having been issued July 1, 1946. It will appear weekly, from 4500 16th St., N.W., Washington, D. C.).

GREAT BRITAIN

Foreign office. Report of the British legal mission to Greece . . . London: H. M. S. O., 1946. 44 p. (Cmd. 6835.)/9.

GUATEMALA

Depto. de publicidad governamental. Informaciones nacionales. (This is a new monthly information bulletin of the Guatemalan government, beginning April, 1946.)

IRELAND

Finance department. Eire: national income and expenditures, 1938–1944 . . . Dublin, Govt. Public Sale Office, 1946. 81 p. 1/9.

MEXICO

Ministerio de relaciones exteriores. Our international policy; address . . . Ezequiel Padilla. Mexico, D.F., Department of foreign affairs, 1945. 13 p. (International policy series, 1.)

Secretariá de educación pública. Documentos de la Revolución Mexicana. Mexico, D.F., 1945. 93 p. (Biblioteca enciclopédica popular, 79.)

Universidad nacional. El acta de Chapultepec, por Alfonso de Rosenzweig-Diaz A. Mexico, 1946. 96 p. (thesis.)

Universidad nacional. Algunas consideraciones acerca del amparo y la defensa de la Constitucion, por Humberto García Oranday. Mexico, 1946. 50 p. (thesis.)

——— Defensa de la constitucionalidad, por Jesus Betancourt Aldana. Mexico, 1946. 58 p., bib. (thesis.)

——— Los derechos del hombre y los derechos sociales, por Manuel Alatriste Ruiz. Mexico, 1946. 99 p. (thesis.)

——— La radiodifusión en el destino de América, por E. Guillermo Salas. Mexico, 1946. 85 p. (thesis)

PANAMA

Presidente. Asociación de las naciones Americanas; estudio acerca de la organización de las repúblicas de América como comunidad jurídica de carácter regional . . . Panamá, Imp. Nac., 1946. 81 p.

——— Derechos y deberes de los estados: anteproyecto de declarción internacional. . . . Panamá, Imp. Nac., 1946. 32 p.

——— Derechos y l bertades fundamentales del hombre. . . . Panamá, Imp. Nac., 1946. 32 p.

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CONTROL COUNCIL FOR GERMANY

Official gazette . . . Supplement no. 1: Documents relating to the establishment of the Allied control authority. Berlin, Allied Secretariat, 32 Issholzstrasze, 1946. v.p. (in English, French, German, Russian.)

LEAGUE OF NATIONS

Population of the Soviet Union, history and prospects. New York, International Documents Service, 1946. xiv, 284 p. $4.00.

The League hands over. New York, International Documentation Service, 1946. 50¢.

PAN-AMERICAN UNION

Codification of international law in the Americas. Washington, Pan-American Union, October, 1946. 28 p. (mim.)

The United States and Latin America; a survey of recent changes in the relations between the United States and other American republics, by William Manger, Counselor of the Pan American Union. Washington, Pan-American Union, 1946. 32 p. (mim.) 15¢.

Uruguay. Consulta del Gobierno del Uruguay y contestaciones de los gobiernos sobre: primero, Paralelismo entre la democracia y la paz, segundo, Protección internacional de los derechos del hombre, tercero, Acción colectiva en defensa de esos principios. Washington, Pan American Union, 1946. 83 p. (mim.)

Inter-American conference for maintenance of continental peace and security, Rio de Janeiro. Report of committee of governing board; projects and proposals submitted by respective governments. Washington, Pan American Union, 1946. 143 p. (mim.) 50¢.

Inter-American conference of experts on copyright, Washington. Draft convention on the protection of literary, scientific, and artistic works. . . . Washington, Pan American Union, 1946. 15 p. (mim.)

——— Final act of the Inter-American conference of experts on copyright. Washington, Pan American Union, 1946. 42 p. (In English, Portuguese, Spanish, and French.)

——— Inter-American convention on the rights of the author in literary, scientific, and artistic works. Washington, Pan American Union, 1946. 28 p. (In English, French, Portuguese, and Spanish.)

——— Proceedings, June 1–22, 1946. Washington, Pan American Union, 1946. 180 p. (mim.)

UNITED NATIONS

Food and agriculture organization of the United Nations. First annual report of the director-general to the FAO conference. Washington, 1946. 45 p.

——— World food survey. Washington, 1946. 39 p.

——— Proposals for a world food board. Washington, 1946. 12 p.

Atomic energy commission. Official records, first year. Nos. 3–5 and supplement no. 2. New York. International Documents Service, 1946. 10¢ each.

General assembly. Resolutions adopted by the General Assembly during the first part of its first session from January 10 to 14, February, 1946. London, Church House, 1946. 39 p. (French and English.)

Headquarters commission. Report . . . to the second part of the first session of the General Assembly of the United Nations. Lake Success, N. Y., 1946. 141 p., maps, charts.

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International health conference, New York, 1946. Final acts. . . . Lake Success, N. Y., 1946. 53 p. (processed.)
United Nations relief and rehabilitation administration. A compilation of the resolutions on policy, third and fourth sessions of the UNRRA council, New York, Int. Doc. Service, 1946. 63 p. $1.25.
——— *Central headquarters for Germany.* Displaced persons operations . . . Washington, UNRRA, 1946. 148 p.
Secretary general. Report . . . on the work of the organization. New York, Int. Doc. Service, 1946. 66 ép. 75¢.
Security council. Report . . . to the General assembly. New York, Int. Doc. Service, Oct., 1946. 408 p. (mim.)
——— Official records, first year: second series, special supplement: Report of the sub-committee on the Spanish question. Hunter College, The Bronx, New York, 1946. 103 p.
Terms of League of Nations mandates; republished by the United Nations. Lake Success, N. Y., October, 1946. v.p. (Doc. A/70.)

NOTES ON SOME RECENT DOCUMENTARY MATERIALS

JAMES B. CHILDS
Library of Congress

Under the title, *Guide periodique de l'administration française*, the Centre National d'Information Économique, 16 rue de Monceau, Paris (8e), France, is publishing a very handy current directory of the executive branch of the French government. Edition number 6, dated April 1, 1946, has about 150 pages. Under the ministries arranged in alphabetical order are given the addresses, the principal officials of the ministries, the various bureaus, subordinate services, institutions, etc., with their addresses and principal staff members. It may be noted with interest that under the Présidence du Gouvernement are listed a Commissariat general du plan de modernisation et d'équipement and a Commissariat général aux affaires allemandes et autrichiennes. It may also be noted that defense matters are grouped under a Ministère de la Defense Nationale (headed by the president of the Provisional Government with an État-major de la defense national) under a Ministère des Armées (Armée de terre, Marine, Armée de l'air), and under a Ministère des Armements. There is at the beginning an index by agency as well as by individual. The first edition of the *Guide* seems to have been issued as of July, 1942, by the Centre d'information interprofessionel.

As a part of the record of the reëstablishment of legislative institutions, the proceedings of the provisional assembly for Württemberg-Baden, meeting at Stuttgart in early 1946, printed under the title *Verhandlungen der vorläufigen Volksvertretung Württemberg-Baden*, have considerable interest. The first meeting of this "Vorparlament" on January 16, 1946, was addressed by Col. Charles D. Winning of Military Government. On this occasion, it was pointed out that Württemberg had had one of the oldest representative constitutions in Europe, dating back 463 years. The second session was held on January 30, 1946, the ominous anniversary of January 30, 1933. At the fourth session, on March 6, 1946, there was discussion of problems concerned with the election for the Verfassunggebende Landesversammlung (Constitutional Convention). A four-page supplement to the Verhandlungen contains a

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list of the 124 members, giving occupation, address, telephone number, and date of birth. Twenty-four members were born since 1900. Two were women.

The *Constitucion de la República Española* as enacted by the Cortes Constituyentes at Madrid on December 9, 1931, and as effective in Spain and the Spanish republican territory at least until the early part of 1939, has been reprinted at Mexico City late in 1945 by the Spanish Congreso de los Diputados in Exile in a small hundred-page pamphlet having a brief forward by Professor Luis Jiménez de Asúa, president of the Congress in Exile.

For the Japanese Imperial Diet, the *Minutes of Proceedings*, or debates, of both the House of Peers and the House of Representatives are being printed currently from day to day in an English edition beginning apparently with May 16, 1946, thus making it possible for the person not understanding Japanese to follow the debates on the changes under way in political institutions. In the *Minutes* of the House of Representatives for May 16, 1946 (No. 1), there is a lengthy explanation by Ozaki Yukio of a motion concerning election of the president of the House. A draft Japanese constitution in English (12 pp.) has also been printed in the format of the *Minutes*.

During the wartime occupation of the Channel Islands, the orders, proclamations, regulations, etc., of the German Commandant were issued in printed form only in the newspapers, *Guernsey Star* and *Evening Press*, St. Peter Port, Guernsey, the *Evening Post* and *Les chroniques de Jersey*, Jersey. *The Star* published the section entitled *La Gazette officielle*, which is sometimes cited as an independent publication. In Guernsey, the *Deutsche Guernsey-Zeitung* was published by the *Evening Press*. It seems that the German military authorities preferred to have statements issued by them signed by the bailiff. There was no separate official occupation gazette such as was issued in other occupied areas. On the island of Alderney during the occupation the Germans were the only residents, and all documents of the occupation are reported to have been destroyed. In 1941, the Military Command on Jersey had printed in Paris a descriptive pamphlet of 138 pages, entitled *Die Kanalinseln-Jersey-Guernsey-Sark*.

As a daily newspaper of the Austrian government, the *Wiener Zeitung*, reappeared at the Oesterreichische Staatsdruckerei in Vienna on September 21, 1945 (238. Jahrgang, nr. 1). It was first published on August 8, 1703, as the *Wiennerisches Diarium*, and in 1780 took the title *Wiener Zeitung*. Even in November, 1918, the newspaper continued its function of serving the Austrian state. After the coming of the Nazis, it was not finally suspended until March 1, 1940. A foreword to the issue of September 21, 1945, was written by the then Chancellor, Dr. Karl Renner. A rather full report of the Nationalrat and of the Bundesrat which first met late in December, 1945, is contained in the *Wiener Zeitung*. Election returns were printed in a regular section entitled *Amtsblatt*, which ordinarily contains company notices and the like.

In the republic of Colombia, law 7 of 1945, approved July 27, provides for reorganization of the national Congress, preceding the legislative reorganization in the United States. The Senate and Chamber of Deputies are each to have five "comisiones constitucionales permanentes" for the consideration of bills and other legislative proposals. In addition, each chamber is to have "comisiones legales reglamentarias" as well as special and temporary committees (comisiones accidentales). The existing rules (reglamentos) for each chamber were adopted provisionally so far

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as in conformity with law 7. Beginning with vol. 1, no. 1, dated August 14, 1945, the proceedings of the two houses of Congress, the debates so far as printed, bills, committee reports, and the text of laws as approved have been printed in a single current "Congressional Record" entitled *Anales del Congreso*. The preceding days of the ordinary annual legislature beginning on July 20, 1925, had been reported in a separate record for the Senate entitled *Anales del Senado* (13 nos.) and in a similar record for the Chamber of Deputies entitled *Anales de la Camara de Diputados* (11 nos.).

For the Dodecanese or Aegean Islands with capital at Rhodes, formerly under Italian control, the proclamations, orders, and regulations and general notices of the British military government have been collected in a small volume of 250 pages under the title *The Dodecanese Gazette*, vol. 1 (1946), no. 1, by the Chief Civil Affairs Officer at Rhodes as of February 28, 1946. The first ten of the Proclamations were promulgated by the Commander-in-Chief, Middle East Forces, before and during the early stages of the occupation, and deal with the following matters: British occupation, war crimes, military courts, police force, custody of property, delegation of powers, currency, transactions in land, moratorium, and entry into the Dodecanese. Article three of the first proclamation reads as follows: "Existing laws, customs, rights and properties of the said territory will be fully respected in accordance with international law in so far as the necessities of war permit." Article six of the same document states that "No right or privilege of the Fascist party will be recognized, and no legal provision discriminating against race or religion will be enforced." Later proclamations were promulgated by the Military Governor, and still later by the Chief Administrator. Text of the *Dodecanese Gazette*, Vol. 1, no. 1, is in English only, but it is understood that a Greek edition is also being prepared.

For the republic of Chile, a government manual has been published under the title *Prontuario administrativo de Chile según la nueva estructura de los servicios fiscales y semifiscales, año 1945* (Santiago, Empresa Editora Atlas). For the first time, there is in this volume of 110 pages a directory of the Chilean government giving the set-up as reorganized in 1942. Membership of the legislative chambers is given by parties. The main arrangement is alphabetical by ministries, under each being given the bureaus and subordinate agencies with the principal officials of each. There is an index by agency, but not by individuals.

The *Compte rendu in extenso des audiences transmis par le secrétariat général de la Haute Cour de justice, Procés du maréchal Pétain*, printed in twenty parts (386 pp.) as a special unnumbered supplement to the *Journal officiel de la République française*, corresponding to the twenty days of Marshal Pétain's trial July 23–August 14, 1945, seems to be the only verbatum transcript of a national war trial that has yet been printed officially.

In the opening words of M. le premier President Mongibeaux on July 23, 1945, "Le procès qui va commencer est un des plus grands de l'histoire." The text of the acte d'accusation dated April 23, 1945, concludes "En conséquence le susnommé est accusé d'avoir depuis un temps non prescrit: 1° Commis le crime d'attentat contre la sûreté interieure de l'État, 2° Entretenu des intelligences avec l'ennemi en vue de favoriser ses entreprises en correlation avec les siennes. Crimes prévues par les articles 87 et 75 du code pénal." More than sixty witnesses were heard in the first seventeen days. Among them may be mentioned: Paul Reynaud, Edouard Daladier, Albert Lebrun, Léon Blum, Edouard Harriot, Gen. Maxime Weygand, Pierre Laval, and Brinon. M. Pierre Frédéric Caous, the former head of the Cour Supreme de

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Justice at Riom during the occupation, was heard briefly at his request, and it may be noted that for the Riom trial only unsatisfactory summaries in the occupation press seem to be available. At the appearance of Pierre Laval, M. le premiér President Mongibeaux addressed him as follows: "Je ne vous fais pas prêter serment. Je ne vous entends qu'à titre de renseignement. . . . " The Haute Cour de Justice in its decision at the end "condamne Pétain à la peine de mort, à la indignité nationale, a la confiscation de ses biens. Tenant compte du grand âge de l'accusé, la Haute Cour de Justice émet le vœu que la condamnation à mort ne soit pas exécutée." Reference to this famous *Compte rendu* is rendered rather difficult for lack of index. If the Procès Pétain should prove to be one of the great trials of history, it might seem to deserve eventually a more permanent and usable edition than the separate fascicules on the newsprint stock of the *Journal officiel*, distributed apparently only from day to day at the time of the trial.

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